

**JULY 17, 2007**

A **Regular Meeting** of the Common Council was held on Tuesday, July 17, 2007 at 7:00 P.M., in the Common Council Chambers, City Hall with Chairman Sarah Sterling presiding.

**Upon roll call, there were present:** Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook, Sterling and Thurston.

Absent: President O'Brien.

On motion of **Alderman Judd**, seconded by **Alderman Hughes**, the reading of the minutes of the previous meeting was ordered dispensed with and ordered placed on file. Carried.

**Committee Reports.**

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

**Minutes of the Fire Committee of June 25<sup>th</sup> 2007**

Present: Chairman Sterling, Aldermen Goetz and Hughes, Assistant Fire Chief Craig Haigh

Assistant Chief Haigh reported that all charge cards have been turned in.

The two fire trucks reportedly sold to Alpine are still here waiting for payment.

The plans for the dedication of the new Firemen's home on September 16<sup>th</sup> are moving forward.

There will also be County Convention in Greenport on July 28<sup>th</sup> with a parade and fireworks. The parade commences on Fairview Avenue and ends at the Firemen's Home.

Assistant Chief Haigh also reported that they had a chance to test the effectiveness of the new boat dock in response to an emergency in Catskill. They were in the boat with a 2 minute response time, a significant improvement over having to move the boat down from the Firehouse and then launch the boat.

The meeting was adjourned at 6:50PM on a motion by Alderman Goetz and seconded by Alderman Hughes.

Respectfully submitted

Sarah Sterling

### **Minutes of the Police Committee meeting of June 25, 2007**

Present: Chairman Sterling, Aldermen Goetz and Hughes, Chief of Police Richardson, Commissioner Grant

Chief Richardson gave the stats for the month. Calls were up to 838 reflecting the expected summer pick up. Parking revenues year to date were \$110,189. The department is still catching up on the previous years back log.

The Chief asked for clarity on Resolution #9 of June 19<sup>th</sup> regarding credit cards. He was asking for some solution on how the department was to handle pick up orders as right now the officers have to front their own expenses and they had been using a Citgo card to feed prisoners when they are kept overnight. The petty cash is not available outside the hours of 9 to 5. Alderman Hughes said he was working with the youth department for a solution also.

Commissioner Grant said that the cost of postage has gone up which will increase the costs that go towards the parking revenues. He will bring us an estimate as to how much that might be.

Chief Richardson wanted to know if they were supposed to use the new vouchers that were issued from the Mayors office. Chairman Sterling was unfamiliar with the directive but said that the City Clerk and the Treasurer's office were working on standardizing the voucher forms for all departments.

There was a discussion of the two choices for a generator. DPW Superintendent Mike Sassi kindly did a price comparison of the two. The Firemen's Home has offered to donate one but it is heavy and will have to be braced on the roof and is of unknown age, buying a new one would be of lesser voltage but could be more reliable due to warranties and age of equipment. Either option would cost around \$15,000. This amount is not in the budget for this year.

There are two resolutions pending to transfer funds for two grants that will be reimbursed before the end of the year.

There was a discussion of the Flag Day overtime. The Chief is asking for a resolution to add \$4,941.79 from the general fund to the Police .1 account.

There was also a request to change the language on the parking ticket to properly reflect when the fines double and also when the extra \$25 is added. The Police were requesting a resolution on this also.

There was a discussion regarding dumpster fees and if the user should also pay the parking meter fees for the time involved. Stair Auctions has also requested that they be able to reserve two parking places out front on their business on an average of two times a month. This way the customers can pick up goods purchased and not clog traffic with double parking.

Betty Scott thought that there is a comptroller's law that we can't issue a permit for parking meter reservations.

There was a lengthy discussion on the pros and cons of being able to reserve a parking place. Former Mayor Scalera said that he thought that when Mr Stair came before the Planning Commission there was some accommodation made at that time for allowing use of the spots outside for pick up. No decision was reached pending the research into the Planning minutes.

Alderman Hughes stated that the youth center is now open at night on Mondays, Wednesdays and Fridays from 7-11PM. They have been careful to advise the youth not to hang around afterwards but to be good neighbors.

Mayor Scalera brought up the question of the School resources officer. They are in the last year of the program which ends December 2007. It has been a successful program but a big cost to the City as we have been funding the whole school district so it is hoped that the Schools will now fund this program.

The meeting was adjourned at 8:45 on a motion by Alderman Goetz, seconded by Alderman Hughes.

### **MINUTES OF THE ARTS, ENTERTAINMENT & TOURISM COMMITTEE MEETING July 5, 2007**

The meeting was called to order at 7:15 p.m. by Chairman Ellen Thurston. Also present were Aldermen Sarah Sterling and William Hughes.

Chairman Thurston presented a budget for the summer waterfront concerts showing income of \$3,469 and projected expenditures of \$3,515. Funds for the concerts were raised from the Columbia County Department of Tourism (\$750), Hudson Development Corporation (\$1,000) and \$1,719 profit from

last year's concerts. Funds will be used for posters, inserts in the *Register-Star*, and rack cards, as well as bathroom maintenance. Other publicity will have to come from free sources such as events listings and press releases. The committee agreed that the budget as presented was a good use of available funds and that buying advertising was not an economical use of the money. Main Street Manager Hilary Hillman suggested investigating radio as a means of publicity. A sign on the fence at the park was also suggested.

Chairman Thurston reported that DPW staff had installed the portable stage, and that handrails on the gazebo had also been installed, the middle rail being removable so that the stage could cover the steps, as designed.

The Main Street Manager is working with galleries on a gallery guide for visitors. Warren Street businesses have been discussing the possibility of additional benches on the street to accommodate shoppers.

Alderman William Hughes reported on his efforts to institute traffic calming devices at the new PARC Foundation park in the 300 block of Warren Street. The ramp leading to the alley is seen as a dangerous spot. Since the alleyway between the park and the County Human Services Building is not considered a public thoroughfare, the State DOT does not have jurisdiction over the spot in question. Hughes has consulted with both DPW and the Police Department. "Pedestrian Walkway" and "Stop" signs are being considered. The park will be formally opened on August 14 or 15.

Alderman Hughes said that Greene County appears to market itself much more aggressively than Columbia County does. The Committee agreed that the County government should put more money into tourism.

The meeting was adjourned at 7:45 pm

Respectfully submitted,

Ellen Thurston  
Chairman

## YOUTH & AGING COMMITTEE

“July 2, 2007 Youth and Aging Committee was called to order at 6:35 p.m.

“Present was, Youth committee chair Hughes, Aging committee chair Thurston, Youth Dir. Beicht, Rec. Sup. Bednar, Aldermen Donahue, Ramsey and Sterling.

“Rec. Sup. Bednar opened the meeting by going over the Monthly activities report for the month of June. Rec. Sup. Bednar told the committee that the youth took a field trip to the Skate Factory on June 22<sup>nd</sup>. 35 youth participated in the trip. Rec. Sup. Bednar also told the committee that the boy and girl of the month was Isaiah Johnson and Naquera Roache.

“Youth Dir. Beicht took over by telling the committee that Tyron Hetchpeth took nine youth from the youth center to do community service on the 200 block of State St. The nine youth planted flowers for Housing Resources of Columbia Co.

“Youth Dir Beicht also told the committee per Col. Co. Health Dept. the Oakdale playground site is now considered a day camp. Which means we need immunization for each child, as well as all kids must stay until 3 pm unless they signed out by a parent or guardian. Currently there are a 138 youth participating. Youth Dir Beicht also told the committee that Fidelis Care and Radio Disney has provided funding for family fun night, which is to take place on July 28<sup>th</sup> starting at 7:30 pm. The movies being shown is, Happy Feet, along with games and prize giveaways as well.

“Youth Chair Hughes told staff that the Oakdale beach looked great. Hughes stated that he was a little worried after seeing the water looking very weedy. Rec. Sup. told the committee the Alan Dole needs to be thanked for the lakes condition, because he comes in every day to rake the lake and clean the beach.

“Alderman Sterling told the youth dept. staff that she was impressed with the quality of programs that are being run out of the youth department.

“Alderman Thurston asked Youth Dir. Beicht what is going on with the proposed smoking ban at the Oakdale Site. Youth Dir. Beicht said, she is under the impression that it is in the hands of City Counsel. Alderman

Thurston said that she had a talk with Counsel and it is there belief that we cannot enforce such a law in the parking lot. Chairman Hughes told the committee that he was in favor of a smoking ban in the Beach House and on the Beach, but does not want to take it any further than that. Hughes stated that trying to enforce a smoking ban on public property such as parking lots and public parks would require State legislation. Hughes further stated he would not support such a law at this time.

“Aging chair Thurston stated that she got a call from Lynn Sanders, Senior’s Program Dir. At Providence Hall. Thurston asked Youth Dir. Beicht if funding from the seniors acct. was being used for use of the Youth dept. van on Saturdays. Youth Dir. Beicht told the committee no! Stating that she or Rec. Sup. Bednar would drive the van instead of asking work staff to drive.

“Meeting adjourned at 6:55 p.m.”

Respectfully submitted

Youth Committee Chair  
William Hughes, Jr.

## COMMUNICATIONS.

On motion of **Alderman Judd**, seconded by **Alderman Miah**, a communication from Hilary Hillman of HDC regarding Foster’s remediation site was ordered received and then later in the meeting referred to the Public Works Committee.

On motion of **Alderman Miah**, seconded by **Alderman Donahue**, a communication from Peter Marotta, of Hudson, stating that there was a “black listing” of public input on the LWRP, was ordered received and placed on file. Carried.

On motion of **Alderman Judd**, seconded by **Alderman Thurston**, the 2005 Audit Report of the City’s financial statements compiled by the accounting firm of Shallo, Galluscio and Fucito was ordered received and referred to the Finance Committee. Carried.

On motion of **Alderman Thurston**, seconded by **Alderman Judd**, The State Comptroller's Report regarding the city's internal controls over credit cards and travel reimbursements, was ordered received and referred to the Finance and Legal Committees. Carried.

On motion of **Alderman Osterink**, seconded by **Alderman Thurston**, a copy of a letter from Alderman Sterling to Mayor Tracy requesting that he provide the Council information regarding his recent appointment of a new Commissioner of Public Works and the status of investigations of the Public Works Department and also the Youth Department. Carried.

### **Bills.**

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

One Communications	349.18	AP Technology	122.98
Crystal Rock	25.95	NYCOM	60.00
City Clerk's Office	41.00	Neefus Photographers	392.50
Arthur King	72.00	Johnnys Ideal Ptg	795.50
Long Fuels	179.43	Ellen Kostowski	72.00
Susanna Bellinger	80.00	Roemer Wallens Mineaux	1,950.00
Cheryl A. Roberts Esq	4,477.64	AAA Pest Control	40.00
Gail Walker	35.51	Pro Printers	1,062.80
Staples Business Adv	297.20	TVC Online	11.95
Nextel Communications	185.49	Young Sommer Ward	1,702.00
Sentry Business Products	67.53	Crazy Daisy	369.50
Col-Greene Humane Soc	455.00	Harmons Auto	935.49
Alan Hamilton	79.67	S&B Computer Office Prod	39.38
April Forbes Esq	3,460.80	Johnson Newspaper Corp.	341.47
Evergreen Industries	180.00	AT & T	32.28
Mid Hudson Cable	79.95		

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook, Sterling and Thurston.

Nays: None.

**RESOLUTIONS.**

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

**RESOLUTION NO. 1 JULY 17, 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:

August 1, 2007 thru July 31, 2009

Lyle J. Shook, Jr. 65 N Third St. Hudson, NY

Nicolas Pierro 69 Glenwood Blvd. Hudson, NY

September 1, 2007 thru August 31, 2009

Eugene E. Shetsky 75 Glenwood Blvd. Hudson, NY

Angela M. Falkner PO Box 842 (948 Columbia St. Hudson, NY

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

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

**RESOLUTION NO. 2 JULY 17, 2007**

**A RESOLUTION TO ACCEPT MONIES FROM THE HUDSON DEVELOPMENT CORPORATION TOWARD COSTS OF WATERFRONT PARK SUMMER ACTIVITIES**

**WHEREAS**, the mission of the Common Council Arts, Entertainment and Tourism Committee is to enhance the quality of life of Hudson residents by providing entertainment and activities, especially during the summer months; and

**WHEREAS**, the committee requested funds from the Hudson Development Corporation specifically for the purposes of paying for costs related to providing summer performances in Waterfront Park in summer 2007; and



**WHEREAS**, the Board of Directors of Hudson Development Corporation, at its meeting on March 27, 2007, granted funds in the amount of \$1,000 to the City of Hudson for the purposes stated above;

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council hereby accepts said grant funds in the amount of \$1,000 from the Hudson Development Corporation; and

**BE IT FURTHER RESOLVED**, that the City Treasurer, upon receipt of said grant funds, shall make a 2007 Budget Amendment to increase the revenue account A3089.1 by said amount and appropriate the same amount to Revenue Account A7550.46-Celebrations to be used for the purposes of this grant.

Increase	A3089.1	State Aid-Celebrations	\$1,000
Decrease	A3089.1	State Aid-Celebrations	\$1,000
Increase	A7550.46	Celebrations other expense	\$1,000

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

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

### **RESOLUTION NO. 3 JULY 17, 2007**

**WHEREAS**, the City of Hudson Department of Youth is running the New York State Education Summer Food Service Program and has received \$10,921.00 from the State for that purpose.

**NOW, THEREFORE BE IT RESOLVED**, that the City Treasurer be and hereby is authorized and directed to receive such monies from the New York State Education Summer Food Service Program into account A3820 and to appropriate the funds in the 2007 budget as follows:

\$5,000 to Personal Services-7310.011 and  
\$5,921 to Food Service Expenses-7310.050

Approved by the Board of Estimate and Apportionment:

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

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

**RESOLUTION NO. 4 JULY 17, 2007**

**A resolution authorizing transfer of funds for the renovation of the Hudson City Courtroom**

**WHEREAS**, the City of Hudson by resolution has authorized the renovation of the Hudson City Courtroom in an amount not to exceed \$20,000; and,

**WHEREAS**, the renovation funds will be drawn from contingency for disbursement to DPW line items; and

**WHEREAS**, the Unified Court System will reimburse 100% of the approved costs of renovating the court room and such reimbursement will be posted to the contingency fund.

**NOW, THEREFORE BE IT RESOLVED,**

Funding for the renovation work will temporarily be drawn from account A1990.04 (Contingency) and deposited in accounts A1620.1 (\$7,000 – Buildings Personal Services,) A1620.5 (\$12,000- Buildings Supplies) and A3020.1 (\$1,000-Electrician Personal Services) and repaid immediately upon receipt of the reimbursement by Unified Court System.

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook 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 JULY 17, 2007**

**A RESOLUTION AUTHORIZING THE TREASURER TO TRANSFER FUNDS TO CORRECT A DEFICIT IN THE LEGAL EXPENSES BUDGET**

**WHEREAS**, the Common Council of the City of Hudson desires avoid deficit spending and to follow sound accounting practices and guidelines; and

**WHEREAS**, the Law/Attorney expenses paid for services necessary for legitimate City business has exceed the budget line for Law/Attorney Other expenses; and,

**WHEREAS**, the budget line for Law/Attorney Personal Services has not been exceeded,

**NOW, THEREFORE BE IT RESOLVED**, that the Treasurer is directed to transfer \$6033.87 from account 1420.0100 to account 1420.0460.

**Approved by Board of Estimate and Apportionment**

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

Prior to the vote on Resolution No 5, and in response to questions from the Aldermen, the City Clerk explained that the City Treasurer had requested the resolution to transfer funds from the Legal Personal Services Account (.1) which is the salary Account to the Legal Other expense Account (.46) to clear up shortages in that Account. The Clerk stated that all bills for Legal Services would now be paid out of Personal Services Account (.1) and that account would need funds later in the year because all other attorneys would now be paid out of that account which was originally budgeted for Attorney Gagen only. The clerk also noted that the Legal Services Account would receive a reimbursement for Legal work from the LWRP grant of approximately \$7,000.

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

**RESOLUTION NO. 6 JULY 17, 2007**

**WHEREAS**, in the 2007 Budget under line Item 3120.1 there are appropriated funds for salary increases for the year 2007 for Police Officers and full time Dispatchers in an approximate amount of \$150,000; and

**WHEREAS**, members of the Board of Estimate and Apportionment have recommended that the 2007 salary increases of \$150,000, be transferred from the Police Personnel Services Account to a new line item in the present budget to insure that funds for the 2007 salary increases are available pending the signing of a contract with Hudson Police-Council 82;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Treasurer is hereby authorized and directed to make the following 2007 budget adjustment:

From: A3120.1	Personnel Services	\$150,000.00
To: A3120.12	Police Contractual Reserve	\$150,000.00

(This amount does not include retro-pay due to Officers for 2005 and 2006)

Approved by Board of Estimate & Apportionment

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

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

**RESOLUTION NO. 7 JULY 17, 2007**

**WHEREAS**, the City of Hudson, the Common Council is vested with the authority to govern the City, manage its affairs and provide for protection, security and welfare of the City, its inhabitants and their property, and

**WHEREAS**, pursuant to section C12-24 of the Charter of the City of Hudson, the Common Council has the power by resolution to require any officer, board or commission of the City to furnish reports, information or estimates, whenever deemed proper by the Common Council, including the power to issue subpoenas requiring the attendance by such officers at a meeting before the Common Council and the production of books, accounts, vouchers or documents, and

**WHEREAS**, the Common Council has recently been made aware of by Public Works Superintendent Michael Sassi, questionable past practices in the Public Works Office and

**WHEREAS**, it is the responsibility of this Council to review such matters and address any issues that may need corrective action;

**NOW, THEREFORE BE IT RESOLVED**, that Council President O'Brien, Aldermen Sterling, Goetz, Donahue, Ramsey and Thurston shall serve on a special committee to review recent Public Works Department issues brought to the attention of the Common Council and that such committee shall disband at the conclusion of its' review and recommendation to the full council.

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook 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 JULY 17, 2007**

**RESOLVED**, that the City Treasurer be and hereby is authorized and directed to make the following transfers for the FY2007 Budget Accounts.

Increase	A3120.02	Equipment Acct.	\$93,973.33
Decrease	A3120.01	Personal Services	\$93,973.33

Monies are to be repaid to the Personal Services Account A3120.01 when reimbursement is received from the Impact Tools Grant and the Technology Grant.

Ayes: Chairman Sterling, Aldermen Donahue, Goetz, Hughes, Judd, Miah, Osterink, Ramsey, Shook and Thurston.

Nays: None.

**Alderman Osterink**, stated she had a proposed resolution requesting the Mayor to attend a meeting of the Council to answer questions regarding the recent resignation of Superintendent of Public Works and the circumstances that led up to that resignation. She then read the proposed resolution.

**Alderman Goetz** stated that the Council just passed Resolution No. 7 to form a committee to investigate the public works charges. He stated the alderman's proposed resolution would bypass No. 7.

**Alderman Osterink** stated they were two separate and distinct issues. She stated the Committee created in Resolution No. 7 was formed to investigate the records of the Public Works Department. In a further response to a statement from Alderman Goetz, she said: "we are not subpoenaing the Mayor. This is a resolution requesting his attendance at this meeting; according to the Charter if he does not attend we can then subpoena him".

In response to a question from Alderman Hughes, **Alderman Osterink** stated the questions she would like asked of the Mayor was those as outlined in her letter which appeared in a Register Star newspaper article under "My View".

**Alderman Donahue** said: "did not Commissioner O'Hara resign at the same moment that he was dismissed because he was running for Mayor and conflict of interest?".

**Alderman Osterink** stated that was not the reason Mr. O'Hara gave for deciding he should resign. He stated he resigned because he wanted to devote more time to his campaign.

**Alderman Goetz** stated this was a Personnel matter and should not be discussed at a public meeting.

**Alderman Osterink** noted that the Mayor would have to attend a meeting before the Council could go into executive session.

**Alderman Hughes** stated that in recent letters with regard to accusations of harassment “we need to be definitely careful about the words we use”. He stated that both Alderman Sterling’s and Alderman Osterink’s letters stated that the “FBI was looking at specific issues”. He said: “to be quite honest I think anything that we now have done we totally disturbed our case if there was indeed a case on any of the issues”. He stated he believed Mr. Sassi should have brought the information to the Chairman first before he made information public at a meeting. He stated that in regard to personnel issues, the Mayor had the authority to release any Commissioner at any given time. He also noted that Superintendent Sassi had resigned.

**Alderman Osterink** stated: “neither I nor Mr. O’Hara were the ones to first mention FBI. This was the Mayor’s excuse for what has been called slapping a gag order on Mike Sassi”. She said she was requesting a resolution “to get the Mayor here and ask him these questions”.

**Chairman Sterling** stated she understood that the FBI only investigated possible misuse of federal funds.

**Alderman Osterink** read the following letter she had submitted to the newspaper:

“Consider this sequence of events, and ask yourself, “What’s happening here?”

“Thursday, June 21- Mayor Richard Tracy relieves Michael O’Hara of his duties as Commissioner of Public Works and appoints James Folz to the position. The mayor’s stated reason for this action: O’Hara intends to run for mayor, and he, Mayor Tracy, considers it a conflict of interest.

“Monday, July 2-DPW Superintendent Michael Sassi, at a meeting of the Public Works Committee of the Common Council, reports some puzzling things he has uncovered while doing his job-evidence of the DPW office and staff being used to conduct non-city business, apparent irregularities in bidding practices, and work orders signed by non-city employees. Mr. Sassi draws no conclusion and makes no allegations. He simply points these things out in the context of reporting on the inadequacies of recordkeeping practices in the department.

“Friday, July 6- The Register-Star and The Independent report that Mayor Tracy has slapped a “gag order” on Superintendent Sassi, claiming that his revelations at the Public Works Committee meeting the previous Monday jeopardized an ongoing FBI investigation of the city of Hudson’s Department of Public Works, even though what Sassi brought to light had nothing to do with federal funding, which is the only thing the FBI is interested in.

“Monday, July 9- The Common Council appoints a committee to investigate the irregularities brought to light by Superintendent Sassi.

“Wednesday, July 11- Michael Sassi resigns his position as DPW superintendent.

“Interestingly, three weeks after the mayor fired the man who hired him, Michael Sassi resigns. This sequence of events raises all kinds of questions about cause and effect and what went on in between-questions to which I want answers and every other resident of Hudson should want answers, too. And here are my questions:

“Why would the mayor of a city facing huge fines from EPA and DEC for polluting the Hudson River because it has failed for decades to address its combined sewer overflow problems, want to eliminate the man who was working with those agencies and addressing these issues in a creative and effective way?

“Why would the mayor of the most fiscally stressed city in the state of New York want to eliminate the man who had the expertise and motivation to make his city more energy efficient and lower the city’s energy costs to the taxpayer?

“Why would the mayor of a city whose infrastructure is ancient and arcane want to eliminate the man who was making sense of it and improving it?

“Why would the mayor of a small city that would be morally and fiscally devastated by the death or injury of one of its employees want to eliminate the man who instituted a long-over-due safety program for DPW workers?



“Why would the mayor of a small city whose quality of life depends upon the dedication of its DPW workers want to eliminate the man who had improved morale among DPW workers, and was creating a work culture in which people were encouraged to take pride in their city and what they did for it?”

“Why, Mayor Tracy, did you want to eliminate a man with integrity and vision who brought hope for a brighter future to our city?”

**Alderman Goetz** stated that in her letter in the newspaper she had also asked for resignation of Reverend Grant.

**Alderman Osterink**, in response, read the following statements that had also been included in her letter to the newspaper:

“Why did Mayor Tracy find it necessary to fire Michael O’Hara? He claims ‘conflict of interest’ was the reason. If declaring one’s intention to run for elected office is cause for someone to be fired from an appointed office, then why hasn’t the mayor also fired Police Commissioner Ronald Grant? Grant intends to run for Fifth Ward supervisor. Is it not a conflict of interest for him to serve as police commissioner while seeking that office?”

“And while we are thinking about ethical questions, let’s consider nepotism. James Folz is Richard Scalera’s brother-in-law. Richard Scalera is also running for mayor. If being DPW commissioner gives someone an unfair advantage, I have to assume that’s what Mayor Tracy meant by conflict of interest, doesn’t having your brother-in-law in that position also give you an unfair advantage?”

“But the real question is this: Why did any of this happen? What could possibly have motivated Dick Tracy to want to get rid of Mike Sassi? I think we must accept the fact that eliminating Mike Sassi was the mayor’s goal all along, in spite of his protestations to the contrary.”

**Alderman Goetz** then asked the alderman if she was asking for the resignation of the Police Commissioner.

**Alderman Osterink** said “no I am not”. She stated she was pointing out an inequity. She stated she was questioning the validity of Mayor Tracy’s reason for elimination.

**Alderman Miah** asked if the Police Commissioner had declared that he would be running for Supervisor.

**Alderman Osterink** stated that Mr. O'Hara (the former Public Works Commissioner) had not publicly declared he was running for Mayor at that point.

**Alderman Ramsey** stated that the council needed to sit and talk with Mayor Tracy at some point in time. She said: "I think that is a very contentious resolution". She stated that the Alderman Sterling's letter was better. She stated there were a lot on innuendos and blaming going around and no one trusts anyone. She stated everyone needs to sit down and discuss what could be done to "help our city". She stated she would agree with a letter requesting the Mayor to meet with the Council members.

**Alderman Judd** stated she supported the proposed resolution and then read the following letter she had sent to Mayor Tracy:

"The accomplishments of this administration in the Department of Public Works had, until recently, been nearly incomparable to other Departments. Few other departments had seen such reform, such incredible progress after decades of stagnation on certain issues. In less than three weeks, all this progress has come to a screeching halt. I cannot imagine that you, or anybody for that matter, are interested in obstructing the important and timely work that was, until recently, led by the former Commissioner of Public Works O'Hara and managed by Superintendent Sassi.

"As you know, Commissioner O'Hara and others, including yourself, dedicated many hours to bringing Charles Butterworth's thirty-nine-year tenure as DPW Superintendent to a satisfactory conclusion and to finding a qualified replacement. The end of 2006 had us focused on understanding and prioritizing goals with the new Superintendent. It was clear that a great deal of work was needed just to create systems to deal with the Department's archives and the complexity of the city's water and sewer system. The new Superintendent started the job faced with DEC violations related to the City's combined sewer overflow and an un-permitted industrial user. These two issues were clearly a result of delayed work and communication on the part of the previous Superintendent. A great deal of problems that the City's

DPW faces can be laid at the door of the former superintendent. This is not news nor is it worth dwelling on. Both Commissioner O'Hara and Superintendent Sassi repeatedly brought the focus in meetings to the work at hand rather than dwelling too much on how things got in the state they are in. This was professional of them.

“Other issues that Superintendent Sassi faced were the closing out of the Water Treatment Plant Project, closing out the Mill St. Pump Station Project, the Michael Court Storm Sewer Project, closing out the Harry Howard Ave. Sewer Project, “Water Orphan” crisis, State officials pressuring for the water orphans to be disconnected so that the City’s chlorination at Churchtown could be discontinued, various issues with unfinished waterfront park bathrooms, and gazebo, new snow removal systems, the urgent need for a safety program to give the City’s workers such basic safety measures as trench protection and the regular ongoing business of maintaining the City’s systems. Superintendent Sassi worked long hours both in the office and on the ground, winning over employees by hearing their ideas and giving them a sense that they were appreciated as City employees.

“The issues now facing the City in the area of Public Works are many but they pale in comparison to what is, in my opinion, the real issue that has yet to reach our comprehension: the aging underground pipes that we rely on for water and sewer transportation. This is where Superintendent Sassi’s consistent campaign for an electronic data system is of paramount importance.

“Mayor Tracy, I am impressed by the outcry of our citizenry. They have recognized in Superintendent Sassi a great asset to our City as well as a unique and inspired individual emboldened with passion and talent for the challenges we face.

“There have been times when the Common Council has been slow to comprehend and support complex issues that required their vote. I hope my fellow Council members will join me in apologizing to Superintendent Sassi for times the Council has not responded with greater respect and urgency to issues such as Combined Sewer Overflow. I too have often grown weary of the aggressive and disrespectful manner in which some of our elected officials speak to our City employees, including Superintendent Sassi.

“Clearly, the City of Hudson faces major challenges. I cannot imagine how you think this work can be accomplished without Superintendent Sassi and without Commissioner O’Hara. Lack of attention to these issues and lack of follow up will result in further fines. For the first time the DEC is pleased that there is someone in Hudson who returns their phone calls and meets with them about our CSO issues. How will the Department of Public Works meet the issues. How will the Department of Public Works meet the deadlines that have been outlined and agreed to with the DEC? Who will work with the firm that we worked so hard to hire to help us with these complex issues? I can’t imagine how or why anyone with the right qualifications would take on this position after hearing about Mike Sassi’s experience with the new commissioner and your leadership.

“I ask you to please dismiss Commissioner Folz and ask Superintendent Sassi to withdraw his resignation.

“Thank you so much for your time.

Respectfully,

Rainer Judd

Alderman, Third Ward”

**Alderman Hughes said** “I think all the departments have really made strides in their performances this year”. Referring to the Public Works Department, he said: “ I was very displeased right from the initial stage of hiring when I said that I believe we were overpaying”. He stated the salary of the Superintendent was \$110,000. for a city with a population of seven thousand. Referring to the former Superintendent Mr. Butterworth, he stated it was Mr. O’Hara who had appeared before the Council and diligently fought to make sure he was kept on board as a consultant. He said: “then on top of that we had numerous MOU’s coming out of that department”. He stated the department had a “ton of expenses”. He stated the contract with Mr. Sassi stated he would not only receive \$110,000. but he was given two weeks vacation before six months, and a house for free. He stated all those things were done without the approval of the council.

**Alderman Judd** stated that she agreed that when a city employee was hired under a contract there should be discussions. However, she said: “ I don’t think it is professional for any employee once they are hired to be consistently badgered by council members about the amount of their salary”.

It was noted during the discussions that the correct salary for Superintendent Sassi was \$100,000.

**Alderman Hughes** stated that at a meeting, prior to the hiring of Mr. Sassi, the consensus was that Seventy Five to Eighty Five Thousand Dollars would be offered as the salary. He stated that in addition to the salary being raised the Plumbing Inspector duties were not included in the new Superintendent's job duties and the City had to pay another \$4,000 to the Code Enforcement Officer to take over that work.

On motion of **Alderman Osterink**, seconded by **Alderman Judd**, the following resolution was **DEFEATED** by the following vote:

**RESOLUTION NO. 9 JULY 17, 2007**

**A RESOLUTION SUMMONING MAYOR RICHARD F. TRACY TO APPEAR BEFORE THE COMMON COUNCIL**

**WHEREAS**, the Charter of the City of Hudson §C12-24 gives the Common Council the power by resolution "to require any officer, board or commission of the City to furnish reports, information or estimates, whenever deemed proper by the Common Council"; and

**WHEREAS**, the Common Council, severally and as a body, has questions about the circumstances that led to the untimely resignation of Department of Public Works Superintendent Michael Sassi; and

**WHEREAS**, Mayor Richard F. Tracy has and is privy to information that will answer those questions; and

**WHEREAS**, Mayor Tracy has not responded to a written request from Common Council Majority Leader Sarah Sterling to attend tonight's meeting of the Common Council; and

**WHEREAS**, the Common Council also has questions about the content of a report on the Hudson Police Department's investigation of irregularities at the Youth Department which was presented to Mayor Tracy nearly a year ago.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Hudson requires Mayor Richard F. Tracy to attend a Special Meeting of the Common Council to be held on Tuesday, July 24, at 7:00 p.m. at City Hall;

**AND BE IT FURTHER RESOLVED**, that Mayor Tracy will bring with him to this meeting the report on the Youth Department investigation and will be prepared to answer the Common Council's questions about the circumstances leading up the resignation of Michael Sassi and his role in those circumstances and to answer questions about the investigation of the Youth Department and explain why the results of that investigation have never been reported to the public.

Ayes: Chairman Sterling, Aldermen Hughes, Judd, Osterink and Thurston.(814)

Nays: Aldermen Donahue, Goetz, Ramsey and Shook. (834)

Abstain: Alderman Miah. (184)

**Patrick Doyle**, stated that the former Superintendent of Public Works "has caused so many problems in this city, to me personally and my family". He stated over the last twenty years specifically, "some pretty serious misuses of City employees and or funds, or lets say resources have been occurring and that they are certainly worth investigating". He stated: "just to name a few: running a private business out of city hall, not keeping up with water and sewer plots since 1972 and as a result there was a lost sewer down on Harry Howard Boulevard that was discovered last year, that had been around for eighteen years and never used; there was a valve, that was never turned on, it was put in a brand new valve, that was not used for twenty years, there is water and sewer that was claimed not be the city's which was". He said "the DEC was stone walled and mislead by not only the previous Superintendent of Public Works but directly by the previous Mayor". He stated that has resulted in "the Order of Compliance". He stated Superintendent Sassi and Michael O'Hara had discovered a culvert from 1933 that had been severed in 1989 down by the L& B property that did not appear in the City's sewer plot. He said: "that may the solution to the VonRitter order." He stated that Mr. Sassi was one of the finest people he had ever met and that he had solved many problems during his short time with the city.

**Peter Westermeyer**, 421 Warren Street, Hudson, asked if there were rules regarding city officials running for office and stated that allegedly Michael O'Hara was relieved of his duties as Commissioner because he was running for the office of Mayor.

**Chairman Sterling** stated there was nothing in the Charter that would preclude someone from running for office when they currently hold an elected or appointed position. She stated that most of the Council members were running for re-election.

**Alderman Hughes** said : "I personally would like to applaud Mr. Doyle because he actually made some very poignant points.". He stated that with all those things that went on in the city between Mr. Butterworth why did Mr. O'Hara stand before the Council and "fight so diligently to keep him on board".

**Michael O'Hara**, former Commissioner of Public Works, stated: "that at the time we had no replacement for him and my intention was to make sure that the day to day operations of the department were continued until I was able to identify a replacement". He said: "the Mayor and I agreed that we could not leave the seat empty". He stated he had made an extensive search for a replacement which included ads in the national professional press. He stated the search took longer than what he would have liked and that he had even looked for a possible retired Superintendent of Public Works from one of the neighboring communities that could come in and do the job on a temporary basis. He stated he had tried a number of ways to avoid having Mr. Butterworth stay on as an employee. He stated the Mayor hired Mr. Butterworth as a consultant, "behind my back, actually over my objection, in October of last year". In response to further questions from Alderman Hughes, he acknowledged that he did appear before the council with regard to keeping Mr. Butterworth as an employee up to September of last year for the reasons he had given previously. He stated Mr. Butterworth had a limit on how much money he could earn under the state retirement and said, "that ran out in September and he had to stop being an employee at that point and that is when he needed to be called a consultant". He stated that was when I would have asked for Council approval to hire him as a consultant. He stated the contract Mr. Butterworth wrote was "very loose and named nobody as his direct supervisor, gave him unlimited control over how many hours he would spend, what part of the job he would focus on, and it was not a very good contract". He stated he and the attorney advised the Mayor not to sign the contract.

**Alderman Hughes** than asked Mr. O'Hara if he was aware of the irregularities recently reported by that department.

**Mr. O'Hara** said: "no I wasn't. I did not have access to details of the files". He stated that one of Mr. Sassi's real talents and good experience was to look at and review bid documents and contracts.

**Chairman Sterling** stated she was concerned about what was going on in the Public Works Department and stated that she had received a memo from the Mayor asking her to serve on a committee to review the structure of the Public Works Department and begin a search for a new Superintendent.

**Hilary Hillman**, 745 Union Street, stated that the hiring of Mr. Sassi was one of the best things that had happened in the City. She stated it was going to be hard for the city to find a replacement for Mr. Sassi with the same qualifications for less money. She urged the city to negotiate with Mr. Sassi.

**James Nero**, 536 Washington St, Hudson, Vice President of the Hudson Police Union, stated the Union voted on an agreement and asked when the city would act on that contract.

**Chairman Sterling** stated that the Council had turned down the last resolution because it was not clear as to where the money would come from and when retro monies were to be paid. She stated the Council members had asked the Mayor to confirm his support of the contract and requested that he meet with the city's Labor Attorney Elayne Gold and the Police Union to determine a solution that would be satisfactory to all.

**Richard Stevens** of Council 82, stated he represented the Hudson Police Department. He stated: "trying to deal with the retroactivity before we do a contract is like putting a cart before the horse". He stated the union was ready to deal with the issue of retro pay once the contract was passed by the Common Council.

**Alderman Donahue** stated he had heard that there was "an alternate solution to this contract".



**Mr. Stevens** said: “it was presented by a person who used to be Mayor”. He stated he would not deal with a person who was running for Mayor. He stated the City presented the police with contract, the police voted and signed and sent it back to the city two months ago. He stated he was advised by the Union leadership that they were dead against the alternate solution. He again stated the union had already approved a tentative agreement which the city stated they could afford. He stated the contract had a number of give backs in it by the police department including doing away with three arbitrations that are pending.

**Alderman Judd** stated that she understood from previous conversations that the issue of when retro increases would be paid should be clarified before the contract was signed and not after as stated by Mr. Stevens.

**Chairman Sterling** stated she would ask the Mayor to call a meeting with the Union, the city’s labor relations attorney Elayne Gold and the City Treasurer.

**Police Officer Nero** stated the Police Union was willing to work with the city with regard to retro payments. He noted that arbitration regarding the contract had been set for September. He stated that once the arbitrator rules, the city would be required to pay within thirty or sixty days.

**Alderman Thurston** asked who within the city negotiated with the union.

**Mr. Stevens** stated the Mayor, a Labor Specialist (Elayne Gold) were the negotiators and that the Council President had also attended a few of the meetings.

**Alderman Thurston** said: “ I need to hear from the Mayor”. She said: “ is he in support of this contract or not, that’s who I need to hear from, because he’s the one who has been negotiating it”.

**Alderman Ramsey** addressing the Police Union Representative, said: “I am glad that you came here with such a calm posture and wanting to try to work this out”. She thanked the police department members for their patience.

**Jennifer Arkenkjold**, Rossman Avenue, stated she was disappointed that the Mayor was not in attendance to answer questions regarding the Public Works Department and also about the police contract.

On motion of Alderman Goetz, seconded by Alderman Thurston, the meeting was adjourned.

City Clerk