

October 18, 2022

A Regular Meeting of the Common Council was held on Tuesday, October 18, 2022 at 6:00 PM with President Thomas DePietro presiding.

Upon roll call there were present: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony (virtual), Sarowar, Walker, Wallace and President DePietro.

Absent: None.

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

On motion of **Councilmember Wallace**, seconded by **Councilmember Frick**, the minutes of the September 20th and September 30th meetings were ordered received and placed on file. Carried.

Committee Reports.

On motion of **Councilmember Harris**, seconded by **Councilmember Frick**, the following committee reports were ordered received and placed on file:

Informal Meeting

September 12, 2022

In attendance: Common Council President Tom DePietro

Second Ward Councilmember Dewan Sarowar

Third Ward Councilmember Ryan Wallace

Fourth Ward Councilmembers Malachi Walker and Theo Anthony

Fifth Ward Councilmembers Vicky Daskaloudi and Dominic Merante

Police Chief Edward Moore, Treasurer Heather Campbell, Department of Public Works

Superintendent Rob Perry, Youth Department Director Liz Yorck, Youth Commissioner Maija Reed, Counsel Crystal Peck

Absent: First Ward Councilmembers Art Frick and Margaret Morris, Second Ward

Councilmember Mohammed Rony, Third Ward Councilmember Amber Harris, Senior Services Commissioner Nea McKinney, Fire Commissioner Tim Hutchings

Mr. DePietro called the meeting to order at 6:02 p.m. It was conducted in person at City Hall. It could not be conducted in a hybrid format or live streamed on YouTube at Hudson City Zoom Meetings because Internet service was unavailable at City Hall, but it was live streamed over local radio station WGXC.

Minutes and Correspondence

The Council received minutes of its August 16 meeting and of a special meeting on August 8.

Executive Session

Mr. Wallace made a motion at 6:04 p.m. to enter into an executive session with labor attorney Elena Defeo Keane regarding a proposed memorandum of understanding and contract with CSEA. Mr. Sarowar offered a second and the motion was approved by all members in attendance. Mr. Wallace made a motion to return to the regular meeting at 6:13 p.m., which was seconded by Mr. Sarowar and approved by all members in attendance. Mr. DePietro said no decisions were made.

Department Reports

Youth

Ms. Yorck reported that afterschool programming had started at the Youth Center. All of the afterschool staff worked with the department over the summer. Field trips resumed with a visit to the Greenport Town Park. The first program of the year will be conducted this week by Bindlestiff Family Cirkus. Programs also will be offered by Beautiful Racket, art classes and hopefully a dance class. She said there were plans to bring youths to the Hudson Area Association Library on occasion to participate in some of the programs offered there.

The fall soccer skills and drills program was set to begin September 17 and continue on Saturdays through October 29 at Greenport Town Park. Two volunteer coaches from the previous year returned to lead the program, which is for youth ages five to 13. The program is sponsored by Friends of Hudson Youth and Greylock Federal Credit Union.

Restorative Justice training was conducted in August. The intense week of training culminated in two community circles led by staff.

The Parent Advisory Committee hoped to facilitate monthly movie nights at the Youth Center starting September 24. Information will be shared on the city website and the department's social media pages. The committee planned to host an open house in October so families and community members could meet staff and programmers and learn more about what the center offered.

Ms. Yorck said the beach at Oakdale was closed for the season, but the remainder of the park was open from dawn to dusk. The final rewilding event was planned for October. Friends of Oakdale Lake and community volunteers will finish up the last of this year's rewilding plan.

Fire

Mr. DePietro said that he had been informed by fire personnel that the department did not receive a grant for a new rescue boat.

Treasurer

Ms. Campbell reported that the 2021 draft audit was completed and filed with the Office of the State Comptroller (OSC). The initial fee accountant review was complete and initial review with the OSC was concluded. The 2022 audit was to begin as soon as the 2021 audit was finalized. She expected final completion of the general ledger to reflect Government Accounting Standards Board 84 and elimination of the trust and agency fund by the end of the fiscal year.

Ms. Campbell said the following five resolutions would be presented for action at the Formal meeting next week: a budget transfer to cover Fire Department utility overages; a budget amendment to move money from contingency to cover a CSEA increase and increase various personal services budgets for a one-time payout; a budget amendment to fund an updated cost estimate for the City Hall Americans With Disabilities Act (ADA) compliance project; a budget amendment to add an approved Environmental Facilities Corp. (EFC) sewer planning grant and related expenditure; and a bond resolution for a 2022 Water Infrastructure Improvement and Intermunicipal (WIIA) grant and related loan to the Water Department.

An operation meeting had been set for two weeks from now regarding an upgrade to general ledger and collections software. She said an update on the development status of certain components was pending from the vendor.

A retainer agreement for foreclosures was in progress. An initial list of delinquent taxpayers—about 140 in all—was created and the amount in arrears totaled \$860,000. She said the last foreclosure action started with about 83 on the list with a total of \$660,000 owed.

Ms. Campbell said budget requests were submitted and that today was the deadline. The Board of Estimate and Apportionment (BEA) would consider each budget request and the budget had to be finalized by November 10.

Ms. Campbell reported parking revenues of \$493,471 for the year to date, at 72 percent of budget. Revenues for parking tickets lagged at 52 percent of budget and were down 25 percent from a year ago. She contacted the Parking Bureau to find out the cause.

Building permits and fees remained strong at \$165,825 for the year to date, already at 99 percent of budget. Building permit fees already surpassed budget at \$152,240.

Sales, mortgage and lodging tax revenues were at 52 percent of budget, at \$1.4 million for the year to date.

Resident Bill Huston was concerned about the loss of parking ticket revenues, which he said could be partially due to the number of broken parking meters. He said many of them were ancient and needed to be replaced. “Who do we talk to about this? Who maintains the meters? What department?” He said that had to be figured out before the reason for the lag in revenues could be answered.

Department of Public Works

Sewer

Mr. Perry reported septage revenue of \$39,998 in July.

A massive rain event on August 30 caused a significant amount of grit to enter the headworks building of the sewer plant. One of the grit vortex systems was totally clogged and a contractor with a vac-truck had to be called to remove the grit from the vortex and the three-foot-deep sump. Grit also clogged the wet well before the grit removal system and required removal.

Water

Mr. Perry said seepage continued at the Churchtown dam but did not appear to increase. Colliers Engineering and Design will issue a request for information (RFI) this month to contractors to identify the source and offer remediation with budgetary numbers.

Several weeks without rain resulted in a water advisory, but since a heavy rainfall on August 30 and some smaller rainfalls, the water level at the reservoir rose. The level was down 18 inches at one point, which nearly exposed the original aeration pipe.

Mr. Perry reported two water breaks, at South Third Street at the CSX overpass and at Robinson and North Third streets.

The Environmental Protection Agency (EPA) enacted new legislation regarding a lead service inventory for all municipalities. A grant to cover the cost of the investigation may be available from the EFC. The city would have to file an intended use plan with the EFC in order to apply for the grant.

Ferry Street Bridge

Because Amtrak and National Grid have failed to cooperate on utility easements required for the Ferry Street bridge project, the city asked the state Department of Transportation (DOT) for permission to advertise, with the condition that work could not begin without easements. This would give the city six months to address the easements, Mr. Perry said.

Mr. Huston started to ask a question, but Mr. Perry had already left the building. “What an ass. Did everyone see the arrogance there? The rudeness?”

Police

Chief Moore said there was one use of force incident in August that involved pepper spray. There were no injuries. There were 43 arrests during the month. A pike in trespassing charges was attributed to a woman who had been staying overnight in the parks and a laundromat. There were 10 calls involving emotionally disturbed persons, which he said was close to average. There were four overdoses with one death that occurred in the Fifth Ward. The person was traveling.

The department was preparing for a murder trial involving the last person accused in connection with the 2017 shooting of Kevin Whitening. Chief Moore said the trial had been temporarily delayed due to some discovery issues, but he anticipated a successful prosecution.

He reported two arrests for robberies, but he did not think that reflected a trend.

Reed Ferris graduated from the police academy and had joined the force. Chief Moore said the department was still down four officers and that the 2023 budget request would reflect a move to full staffing. He announced that in advance to avoid what he called sticker shock. Still, he said the budget was “very respectful” and he tried to keep it within “reasonable parameters.”

A seasonal problem at Rick’s Point needed to be addressed. He said some people left their boats docked there indefinitely so other boats and the water taxi could not park. Chief Moore said officers were authorized to ask people to move their boats, but he thought legislation that would allow ticketing or even impoundment might be helpful. The city’s website indicates that overnight docking was not allowed and there was signage indicating such, “but there’s no legislation to back it up.” The chief researched other municipal ordinances, which he said might help next season.

Chief Moore said that councilmembers contacted him each summer about homeless people in Seventh Street Park. Forty or so cases were pending in City Court. New City Court Judge Cheryl Roberts was trying to set up an alternate treatment court that would be honed toward people with mental illness. Instead of using means of law, offenders would volunteer to go to a treatment center instead of being sentenced. “It’s another way of looking at it,” the chief said.

Mr. DePietro asked if officers could contact alcoholic beverages from vagrants. “Yes we can take it and we do,” the chief said. Mr. Huston, who claimed he was assaulted by someone who had Budweiser in a bag, asked if officers regularly patrolled Seventh Street Park on foot.

Chief Moore said foot patrols went in the park when they could, but there was no set schedule. Mr. Huston again asked how many officers walk through the park on a typical day. Chief Moore repeated that there was no set schedule. “They do, as evidenced by the number of arrests there.” He said the problem exists to some extent because people don’t show up to court and they understand they probably won’t be sent to jail.

Resolutions

The Council received the following resolutions, to be acted on during the formal meeting on September 20:

- Appointment of Shawntelle Murphy, Lauren Mabb, Michelle McDonald, Melinda Peck, Catherine Diehl and Kevin Keyser as Commissioners of Deeds from October 1, 2022, through September 30, 2024. Introduced by Mr. Wallace and seconded by Mr. Sarowar.
- Support of and authorization to submit an application to the Restore NY Communities Initiative for the Crescent building redevelopment project. Introduced by Mr. Wallace and seconded by Mr. Sarowar.
- Authorized to accept donations totaling \$1,075 to the Hudson Senior Center. Introduced by Mr. Sarowar and seconded by Ms. Daskaloudi.
- Approval of a \$1,000 grant, recommended by the Tourism and Events Committee, for a Halloween parade. Introduced by Mr. Wallace and seconded by Ms. Daskaloudi.

Local Laws

The following local laws were laid on councilmembers’ desks:

- A local law to amend the City Code and City Charter to remove references to a Planning Commission and replace it with Planning Board.
- A local law to amend the City Charter and add code enforcement officer and assistant code enforcement officers to the list of public officers.
- A local law to amend the City Charter to expand the residency requirement for the city’s legal advisor to all of Columbia County.
- A local law to amend the City Charter to set forth the duties of the city legal advisor and retained counsel.
- A local law to extend the lodging tax through December 1, 2025.

Other Business

Mr. DePietro reminded all that the LatinX Festival, partly funded by the city, was scheduled for Saturday starting at 1 p.m.

Mr. Anthony made a motion to adjourn at 7:17 p.m., which was seconded by Mr. Sarowar and approved by all members in attendance. “That’s about it for a meeting that’s going down in history as not being Zoomed,” Mr. DePietro said.

Ad-hoc Sidewalks Committee

September 26, 2022

In attendance: Councilmember Dominic Merante, Chairman; Councilmembers Vicky Daskaloudi, Amber Harris and Margaret Morris
Absent: Councilmember Ryan Wallace; Crystal Peck, Counsel

Mr. Merante called the meeting to order at 5:02 p.m. It was conducted at City Hall and via Zoom teleconferencing.

Sidewalk Letter

Mr. Merante spoke briefly on feedback to a letter sent to property owners detailing their responsibilities for sidewalk maintenance. A woman in the Fifth Ward, which he represents, was concerned that she had no money for sidewalk repairs. As it turned out, she had no sidewalk in front of her home so the section of City Code regarding sidewalk maintenance did not apply to her.

Ms. Daskaloudi said she had seen some sidewalks repaired during her walks. “That’s a good sign. Maybe they’ll be more involved.” Mr. Merante agreed that the letter might have been a wake-up call for some regarding their responsibilities.

Action Plan

Mr. Merante said the committee’s next effort was to devise an action plan for enactment of a sidewalk law. “There are some components that need to be put into place before we can move some things forward.” He presented a three-part plan: identify and create sidewalk districts, prioritize districts that need repairs or areas within them that do, figure out how assessment fees would work.

Members discussed using the boundaries of the city’s five wards as districts. Ms. Daskaloudi thought high traffic areas and those used for medical purposes should be given priority within the districts. Mr. Merante suggested that a district could then be broken down into residential and other areas. For instance, the Third Ward contained Columbia Memorial Health and the Fifth Ward had the schools. Once a map was created, streets without sidewalks could be eliminated and the worst ones determined using a scoring rubric, he said.

“I think this will be pretty easy to figure out,” Ms. Daskaloudi said.

She said identifying areas in need would require a walker. Mr. Merante agreed that, like the City of Troy, volunteers could be enlisted and trained on conditions to look for and document with photographs. Ms. Daskaloudi said councilmembers could help as well because they represent the wards.

Councilmember Malachi Walker how the city would deal with a burden being placed on an individual who might be unable to afford repairs. Mr. Merante explained that the fee levied would be based on the amount of sidewalk in front of one’s property and the amount of foot traffic. The money levied could be put into the district’s coffers. The city will do the repairs unless the property owner decides to take on the task themselves. In that case, they would get a credit. He also pointed out that upkeep of sidewalks had always been the responsibility of the property owner.

Ms. Daskaloudi felt the committee should “move away from burdening individual property owners with the entire cost of sidewalk installation and maintenance.” However, she still wanted to find ways to get property owners to repair or replace their sidewalks, perhaps by making repaired sidewalks a condition of sale of a property. Mayor’s Aide Michael Hofmann said sidewalk improvements were required in some communities before a deed transfer was issued.

Mr. Merante said Ms. Peck was optimistic that a law could be drafted and put before the Common Council for consideration in three months or so.

In the meantime, Mr. Merante and Ms. Daskaloudi were assigned to work on maps, Ms. Morris was to tackle the legal aspects as she is chairperson of the Legal Committee, and Ms. Harris and Mr. Wallace were to tackle assessments. The U.S. Department of Justice will have to be kept apprised along the way.

Mr. Merante called for public comment. There being none, Ms. Daskaloudi made a motion to adjourn at 5:46 p.m., which was seconded by Ms. Harris and approved by all members in attendance.

Communications.

On motion of **Councilmember Frick**, seconded by **Councilmember Sarowar**, the following communication was ordered received and placed on file:

- 1) Conservation Advisory Council thanking the Common Council for supporting the 2nd Annual Autumn Arbor Day.

Carried.

Bills.

On motion of **Councilmember Wallace**, seconded by **Councilmember Harris**, the following list of bills were audited and ordered paid by the following vote:

Rackspace US Inc.	765.60	Hinman Straub PC	10,515.84
Passport Labs Inc	3,278.50	Apple Inc.	1,495.00
Marshall & Sterling Upstate Inc.	809.60	Main Care Energy	25.78
James Delaney Jr.	600.00	Mid Hudson Cablevision	288.20
Mid Hudson Cablevision	52.50	Eastern Managed Print Network	37.63
US Bank Equipment Finance	231.60	Repeat Business Systems	17.08
Rapkow Ltd	2,000.00	Postmaster	120.00
Heather Campbell	5.68	UHY LLC	10,590.00
First Light	343.31	Ricoh USA Inc.	4.60
Amazon Capital Services	96.11	GovOS	833.33
Paychex of New York LLC	1,444.27	Paychex Human Resources Svcs	295.00
Columbia Greene Humane Society	1,000.00	US Bank Equipment Finance	240.19
Unity Now LLC	37.50	Heather Bruegl	1,500.00
Azavar Technologies	1,455.00	Verizon Wireless	86.64
Johnson Newspaper Corp	1,034.00	JV Computers	3,791.20
Staples Contract & Commercial	397.10	WB Mason Co Inc.	111.97
Johnson Newspaper Corp c/o NYPS	606.35	Rodenhausen Chale&Polidoro LL	5,517.50

Parking Study

Fishbeck	9,250.00
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Tourism & Events Awards 2022

Shaina Marron

1,000.00

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

Carried.

Councilmember Walker read the following prepared statement:

“First of all, I’m truly, extremely excited about the initial renovation beginning of the Charles Williams Park. It really started out as a driving, fiery idea that manifested into potentially a wonderous thoughts that blossomed into ground tunnel vision as the Youth Commissioner, Majia Reed and myself relentlessly imagined what-if, diligently seeking a break through we reached out to the Mayor, Kamal Johnson who like myself grew up in Hudson playing on the lack of playgrounds our City had to offer so he was you know, fully aware of the tremendous need of our City. He set us up with a meeting with The Spark of Hudson and I have to tell the story again because it’s such an awesome story, but ironically, while helping my brother, Larry Walker cater a party, I met some of the most caring, warmest individuals who I shared our vision with not knowing these were actually the same people who we were set up to meet with the Mayor the following week, so we just met, this was just meant to happen, I wanted to say but they embraced our idea in a heartbeat. I’m just so proud of the response from the whole community, I’m so proud of Hudson how we all just come together when certain things need to happen and so we collaborated with The Spark and I’m just so, so proud of the response from the whole community and the collaboration of input put towards the vision of a place where our toddlers to seniors can utilize and enjoy for years to come”.

Councilmember Anthony said “I was brought in late to this and I’ve just been trying to assist wherever possible but I’m so excited to finally bring this to the Council” and he said “I think this public space is a much needed project, I think this public/private partnership with Spark is just the most like ideal opportunity to get that, I think it’s, as you’ll see it’s really thought out driven by community engagement at all points and I think this represents a real exciting new step you know, not just for the Fourth Ward but for all of Hudson”.

Kelly Crimmins of The Spark of Hudson provided a presentation of the Charles Williams Park Improvement Project.

Councilmember Anthony said “there’s a lot of quality of life upgrades that come with this park but I think there’s something else that’s really exciting is that in preparing for this park, there’s a lot of conversations on how to improve the infrastructure of the area, there’s a lot of known you know, issues with drainage and traffic stuff and you know, without getting too far into that, at this point it’s still early but those are still, those issues are being considered not just for the park but for the whole neighborhood”.

Resolutions.

On motion of **Councilmember Rony**, seconded by **Councilmember Wallace**, the following resolution was adopted by the following vote:

RESOLUTION NO. 1 October 18, 2022

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

November 1, 2022 through October 31, 2024

Christopher Filli 31 Pheasant Lane, Valatie, NY 12184

Nancy Groff 75 Hudson Ave, Chatham, NY 12037

Tammy Hallenbeck 6772 Route 9, Hudson, NY 12534

Work

701 A Union Street

25 Railroad Ave

“ “

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

On motion of **Councilmember Wallace**, seconded by **Councilmember Sarowar**, the following resolution was adopted by the following vote:

RESOLUTION NO. 2 October 18, 2022**A RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO COVER THE FUEL EXPENSES OF THE HUDSON POLICE DEPARTMENT**

WHEREAS, the Hudson Police Department's expenses for fuel are projected to exceed the amount budgeted in 2022, and

WHEREAS, these are necessary services for the HPD to operate,

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

\$8,000	Increase:	A.3120.0510	Police Department - Fuel
	Decrease:	A.0000.1001.0200	Use of Fund Balance

Approved by Board of Estimate & Apportionment.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

On motion of **Councilmember Wallace**, seconded by **Councilmember Rony**, the following resolution was adopted by the following vote:

RESOLUTION NO. 3 October 18, 2022

A Resolution Authorizing the Hudson Conservation Advisory Council to accept No-Match Grant Award funds from National Grid for the planting of trees in the City of Hudson

Whereas, the Common Council of the City of Hudson understands the importance of the role of Urban Forestry for the benefits a healthy tree canopy provides all citizens of, and visitors to, our community: keeping erosion in check, providing clean air, providing shade for heat reduction and thus, energy saving, for calming social interactions, as well as having traffic calming qualities while enhancing our unique city and array of architecture;

Whereas, the Hudson Conservation Advisory Council has, on behalf of the city, been awarded a \$7,850 no-match grant by National Grid for the materials of nine trees, soil, mulch and water gators for a Spring 2023 Arbor Day.

Therefore, the Common Council authorizes the CAC to accept the award on behalf of the City of Hudson.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

Following the vote, **President DePietro** thanked Conservation Advisory Council Member Britt Zuckerman who prepared the grant proposal and he said “kudos to her and the Conservation Advisory Council”.

On motion of **Councilmember Frick**, seconded by **Councilmember Sarowar**, the following resolution was adopted by the following vote:

RESOLUTION NO. 4 October 18, 2022

A RESOLUTION TO AMEND THE 2022 BUDGET

WHEREAS, the City of Hudson is seeking to develop affordable housing on City-owned land, as per the 2021 adopted Affordable Housing Development Plan, and

WHEREAS, the City has selected a proposal from a development team to purchase four parcels of City-owned land (109.36-1-10; 110.17-1-45; 110.17-1-46; 109.44-2-66) in order to construct affordable housing, and

WHEREAS, appraising these properties is a foundational step for selling these properties, and

WHEREAS, the Mayor's Office sought appraisal quotes from three eligible firms and selected a proposal from Hudson River Appraisal Group based on their price and availability, and

WHEREAS, this appraisal expense was not originally accounted for in the 2022 budget,

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer is authorized to make the following 2022 budget amendment:

\$2,730	INCREASE:	A.1210.0460.0003	HOUSING DIRECTOR EXPENSE
	INCREASE:	A.0000.1001.0200	USE OF FUND BALANCE

Approved by Board of Estimate & Apportionment.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

President DePietro stated Proposed Resolution No. 5 would designate the Fifteenth Day of October as White Cane Awareness Day in the City.

Councilmember Merante said "White Cane Day is every year, October 15th and actually also, October is Blindness Awareness" and he said "this is personal and also, I will tell you that I know of at least ten individuals in the City that are blind or visual impaired, that some also use the white cane and I think this is a great educational piece". He said "I started losing my sight at thirteen so it took me a long time to be accepting of you know, my vision loss and also now having to use a white cane" and he said "through that was the education that I got about the value of people that are blind and visual impaired". Councilmember Merante stated he appreciated the Council President and also the Council Counsel for preparing the resolution and he said "I hope every year we can honor it on the fifteenth and understand that our community is vast with diversity especially those who have great talents that sometimes are judged but also when you see the white cane, it's also something of safety and empowerment so I appreciate this".

On motion of **Councilmember Sarowar**, seconded by **Councilmember Morris**, the following resolution was adopted by the following vote:

RESOLUTION NO. 5 October 18, 2022

A RESOLUTION DESIGNATING THE FIFTEENTH DAY OF OCTOBER AS WHITE CANE AWARENESS DAY IN THE CITY OF HUDSON

WHEREAS, the white cane, which every blind citizen of the City of Hudson, New York has the right to carry, demonstrates and symbolizes the ability to achieve a full and independent life and the capacity to work productively in competitive employment; and

WHEREAS, the white cane, by allowing every blind person to move freely and safely from place to place, makes it possible for the blind to fully participate in and contribute to our society and to live the lives they want; and

WHEREAS, every citizen should be aware that the law requires that motorists and cyclists exercise appropriate caution when approaching a blind person carrying a white cane; and

WHEREAS, City of Hudson, New York law also calls upon employers, both public and private, to be aware of and utilize the employment skills of our blind citizens by recognizing their worth as individuals and their productive capacities; and

WHEREAS, City of Hudson, New York, through its public agencies and with the cooperative assistance of the City of Hudson, New York, can and should facilitate the expansion of employment opportunities for and greater acceptance of blind persons in the competitive labor market:

NOW, THEREFORE, the Common Council of the City of Hudson, New York, proclaims October 15th as **WHITE CANE AWARENESS DAY** in City of Hudson, New York and call upon our schools, colleges, and universities to offer full opportunities for training to blind persons; upon employers and the public to utilize the available skills of competent blind persons and to open new opportunities for the blind in our rapidly changing society; and upon all citizens to recognize the white cane as a tool of independence for blind pedestrians on our streets and highways.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

President DePietro stated Proposed Resolution No. 6 would authorize the Mayor to sign a grant agreement with Eutopia Foundation for restoration and improvements to the Charles Williams Park.

Councilmember Anthony stated the grant agreement between The Spark of Hudson, Eutopia Foundation and the City of Hudson outlines the expectations for the \$350,000 grant and he said “essentially it ensures that you know, this isn’t just a blind gift that the City does take responsibility for, that this is a park and that we have agency in controlling it”. He said “this is just like a first step in refreshing and updating the area”. Councilmember Anthony stated The Spark of Hudson would be kept reasonably notified and in the loop regarding the developments and he stated there were specific items identified in the grant agreement including the city’s responsibility with maintaining and managing the construction and beautification of the project.

Councilmember Morris questioned the city's financial implications in the project.

Ms. Crimmins said "it's a gift to the city and there's no financial repercussions on the city's end for accepting that gift".

Councilmember Wallace asked "is everything covered within the gift"?

Ms. Crimmins referred to Exhibit A, the last page of the grant agreement and she said "shows how the money is distributed and for what purposes which is, relates to the city plan that I reviewed with you".

Councilmember Morris asked "what you're envisioning, is this grant sufficient to actually bring in to reality that vision"?

Ms. Crimmins said "yes, everything that we've included in there has been budgeted by the experts we've been working on but we also are open to pursuing other funds if things arise".

Councilmember Morris stated there needed to be transparency on any obligations that the city may have including standard maintenance costs.

Councilmember Anthony stated Peter Bujanow, Public Works Commissioner, had been involved in the process and had verified maintenance requirements along with his approvals.

Councilmember Morris asked "do you have any idea what the increased costs to that budget"?

President DePietro said "no" and he said "it's manageable".

Shankiah MacIntosh of The Spark of Hudson said "when we started the conversation, the partnership with the City of Hudson, we met with the Department of Public Works Commissioner and went over the plan and there should be no additional costs".

Councilmember Daskaloudi said "the benefits probably outweigh the potential expense because it will be a great thing for that park".

Majia Reed, Commissioner of Youth said "it is currently a playground and park which is being maintained by DPW".

Councilmember Frick asked "when is it scheduled to be completed"?

Ms. Crimmins said "after this resolution is passed that is what the next step will be, will be a time line because the city along with our advisor will have to start to engage in contracts with all the work that has to be done so I can't really say, I hope very soon but I can't say for sure".

On motion of **Councilmember Sarowar**, seconded by **Councilmember Frick**, the following resolution was adopted by the following vote:

RESOLUTION NO. 6 October 18, 2022

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A GRANT AGREEMENT WITH EUTOPIA FOUNDATION FOR RESTORATION AND IMPROVEMENTS TO THE CHARLES WILLIAMS PARK

WHEREAS, the City of Hudson has been awarded a grant from the Eutopia Foundation for \$350,000 for the restoration, enhancement, development and operation of the Charles Williams Park (the “Park”); and

WHEREAS, funding from the grant is to be used for projects to include the replacement, update, and refreshing of the Park's seating, landscaping, playground equipment, basketball court, trash receptacles and plant care, and may include removal of extraneous structures or signs as mutually agreed between the City and the Eutopia Foundation;

WHEREAS, the grant is in the form of a reimbursement which will be disbursed in accordance with Exhibit A to the Grant Agreement which is attached to and incorporated herein; and

NOW THEREFORE BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to sign the attached Grant Agreement with Eutopia Foundation for the restoration, enhancement, development and operation of the Charles Williams Park.

GRANT AGREEMENT

BETWEEN

THE CITY OF HUDSON, NEW YORK

AND

EUTOPIA FOUNDATION

THIS GRANT AGREEMENT (this “Agreement”) is entered into by and between the City of Hudson, New York (the “City”) and Eutopia Foundation, a Delaware corporation not for profit and without capital stock (“Grantor”). The City and Grantor are sometimes referred to herein each as a “Party” and collectively as the “Parties”.

RECITALS:

WHEREAS, the City holds all right, title and interest in the property known as the Charles Williams Park, bounded by Mill St. (the “Park”);

WHEREAS, the City has the authority to plan, develop, conduct and enter into arrangements with public or private organizations to ensure the beneficial use of the Park and, through the City’s Department of Public Works (“DPW”), maintains and operates the Park;

WHEREAS, Grantor, a not-for-profit corporation formed under the laws of the State of Delaware, seeks to help ensure that the Park is enhanced and maintained as a public space for the enjoyment of the City's residents and visitors;

WHEREAS, the City's Common Council expressed its support and enthusiasm for Grantor's efforts to work with the City to improve the Park;

WHEREAS, the City, DPW and Grantor, without usurping the rights and responsibilities of the City and DPW in maintaining and operating the Park, intend to work together in furtherance of the restoration, enhancement, development and operation of the Park and Grantor desires to provide a grant to the City for such specific purposes;

WHEREAS, projects to be undertaken by the City at the Park with funds from Grantor will include the replacement, update, and refreshing of the Park's seating, landscaping, playground equipment, basketball court, trash receptacles and plant care, and may include removal of extraneous structures or signs as mutually agreed (the "Project"); and

WHEREAS, this Agreement is intended to establish the terms of the grant by the Grantor to the City.

NOW, THEREFORE, the City and Grantor, to the extent authorized by law, agree as follows:

1. Grantor shall fund up to \$350,000 (the "Funds") for the Project. The Funds will be disbursed by Grantor to the City pursuant to the schedule attached hereto as Exhibit A, all subject to the City's compliance with this Agreement and the Grantor's approval of the completion or satisfaction of any applicable targets, milestones, and reporting deliverables

required under this Agreement. The Grantor may, in its reasonable discretion, modify payment dates or amounts and will notify the City of any such changes in writing. The Funds shall be used solely for the Project as outlined in this Agreement and may not be expended for any other purpose without Grantor's prior approval. The City acknowledges and agrees that no portion of the Funds shall be used for any political or lobbying activity or for any purpose other than one specified in section 170(c)(2)(b) of the Code.

2. Grantor shall share with the City information, as requested, regarding all plans and proposals for capital projects proposed for the Park, including research and designs. The City shall provide Grantor with comments, review and approval on the design and plans in a timely manner.

3. The City and the DPW Commissioner ("Commissioner"), as reasonably practical, shall solicit and take due consideration of input from Grantor in preparing the operating budget for the Park.

4. The City and Commissioner shall have final authority over all capital projects, programs and policies undertaken in the Park. The City shall be responsible for the construction and implementation of the Project.

5. As conditions of receipt of the Funds, it is understood that the City will undertake the following with respect to the Park and the Project:

- a. The City shall be responsible for engaging a construction firm and implementing all capital improvements for the Park; provided, however Grantor may provide advisory services related to the Park, including horticultural and design (where approved by the City and in accordance with applicable laws, including the City Charter and Code).
- b. The City shall provide updated lighting to the Park through funding the City is already pursuing.
- c. The City shall provide paving assistance through the DPW for new paths and new basketball court.
- d. The City shall pursue the funding, construction and maintenance of a public restroom to be installed at the Park at a later date.
- e. The City and DPW shall retain responsibility for the maintenance of the Park, including the trees, lawns, and hardscape pathways, trash, fencing, and structures. The Parties will consult with each other regarding the maintenance of the Park.

6. Grantor shall have the opportunity to provide guidance to the Commissioner on proper horticultural practices in the Park and receive an explanation if this advice is rejected. The Commissioner shall give Grantor reasonable notice of the days on which DPW employees plan to undertake horticultural projects in the Park and not object to the presence of Grantor volunteers when such projects are undertaken. Grantor's volunteers shall not interfere in any manner with the activities of DPW employees in the Park or be required to provide assistance when such projects are undertaken.

7. Grantor may use the Park, if approved by the City, for events that raise funds or bring positive attention to the Park.

8. The City may publish the name of Grantor in various publications, press releases, and publicity vehicles after receiving the prior written approval of Grantor. For recognition purposes related to this agreement Grantor will be identified as "Eutopia Foundation".

9. The City shall keep a record of all receipts and expenditures relating to the Funds, including agreements with third parties for the Project, and will provide Grantor with a written report summarizing the Project promptly following the end of each milestone period set forth on Exhibit A. The Grantor may also require interim reports upon reasonable request. The City's reports should describe the progress in achieving the purposes of the Project and include a detailed accounting of the uses or expenditure of all Funds. The City agrees to provide any other information regarding the use of the Funds reasonably requested by Grantor. The City shall keep the financial records with respect to the Funds, along with copies of any reports submitted to Grantor, for at least four years following the year in which all Funds are fully expended.

10. Grantor shall faithfully perform and carry out the provisions of this Agreement and cause its agents and volunteers to conform with all laws applicable to Grantor's use and occupation of the Park.

11. The City does hereby waive, release and discharge any and all claims for damages for personal injury, death, property damage, any claim in tort, or any other claim, regardless of legal theory, that may hereafter accrue as a result of the donation of funds by Grantor for the Project. The entire risk as to the performance of the Project is assumed by the City. In no event shall Grantor or its officers, employees or agents, be responsible or liable for any direct, indirect, special, incidental, consequential damages, lost profits, or any other economic or physical loss or damage to any individual regardless of legal theory resulting from the Project.

12. Grantor reserves the right to discontinue, modify or withhold any payments to be made under this Agreement or to require a total or partial refund of any Funds if, in Grantor's sole discretion, such action is necessary: (a) because the City has not fully complied with the terms and conditions of this Agreement; (b) to protect the purpose and objectives of the grant of the Funds; or (c) to comply with the requirements of any law or regulation applicable to the City, the Grantor, or the Funds.

13. If the City and Commissioner elect not to proceed with Project or any of the milestones set forth on Exhibit A, Grantor may terminate this Agreement on ten (10) days prior written notice to the City and shall not be required to disburse any additional portions of the Funds.

14. The City may not assign, or transfer by operation of law or court order, any of its rights or obligations under this Agreement without the Grantor's prior written approval. This Agreement will bind and benefit any permitted successors and assigns.

15. This Agreement shall be governed by the laws of the State of New York. If any provision of this Agreement is held unenforceable for any reason, each and other provisions shall nevertheless remain in full force and effect.

16. By mutual consent of Grantor and the City, any provision of this Agreement may be amended, modified, or deleted. Any such changes, deletions, or additions shall be recorded in a written agreement, signed by all Parties, which shall form a part of this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date set forth above.

CITY OF HUDSON

By: _____
Kamal Johnston, Mayor

**CITY OF HUDSON DEPARTMENT
OF PUBLIC WORKS**

By: _____
Peter Bujanow, Commissioner

EUTOPIA FOUNDATION

By: _____
Name:
Title:

Exhibit A

Grant Disbursement Schedule

Milestone	Disbursement Amount
Agreement by City and Grantor on Project budget, approval of Project plans, and selection of engineer / initial site work (excavation/drainage/ bed prep)	\$67,000
Fitness Court Improvement	\$20,000
Playground/Play area installation	\$85,000
Hardscape/Walkways and Surfacing	\$84,000
Basketball Court	\$55,000
Benches, Chess tables, picnic tables	\$20,000
Landscaping/plantings	\$19,000

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

President DePietro, following the vote, said “this idea without Spark involved came to me quite awhile ago from Councilmember Walker along with Youth Commissioner Reed and it’s great that’s it finally coming to fruition and that you’ve found a great partner in this project, congratulations”.

On motion of **Councilmember Harris**, seconded by **Councilmember Sarowar**, the following resolution was adopted by the following vote:

RESOLUTION NO. 7 October 18, 2022

RESOLVED, that the City Treasurer be and hereby is authorized and directed to transfer funds to the following 2022 budget accounts within the Public Works Department:

DPW

\$22,000	From: 5110.1 A – Street Maintenance – Personnel Services
\$20,000	To: 5110.4 A – Street Maintenance – Materials & Supplies
2,000	To: 5110.43 A – Street Maintenance – DPW Garage Utilities
\$2,000	From: 7110.1 A – Parks – Personnel Services
2,000	To: 7110.46 A – Parks – Utilities
\$8,000	From: 8160.1 A – Refuse – Personnel Services
\$2,000	To: 8160.4 A – Refuse – Materials & Supplies
2,000	To: 8160.45 A – Refuse – Maintenance of Equipment
2,000	To: 8170.4 A – Street Sweeper – Materials & Supplies
2,000	To: 8170.45 A – Street Sweeper – Maintenance of Equipment

CEMETERY

\$7,000	From: 8110.1 C – Cemeteries – Personnel Services
\$3,000	To: 8110.2 C – Cemeteries – Equipment
4,000	To: 8110.4 C – Cemeteries – Materials & Supplies

WATER

\$23,000	From: Water Fund Balance
\$500	To: 8310.47 F – Water Administration – Professional Services
10,000	To: 8320.4 F – Water Supply – Materials & Supplies
500	To: 8320.46 F – Water Supply – Utilities
10,000	To: 8330.48 F – Water Treatment – Utilities
2,000	To: 8340.4 F – Water Transmission – Materials & Supplies

SEWER

\$30,000	From: Sewer Fund Balance
\$1,000	To: 8110.46 G – Administration – Other
4,000	To: 8120.4 G – Sanitary Sewers – Materials & Supplies
25,000	To: 8330.48 G – Sewage Treatment – Utilities

Approved by Board of Estimate & Apportionment.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

On motion of **Councilmember Frick**, seconded by **Councilmember Wallace**, the following resolution was adopted by the following vote:

RESOLUTION NO. 8 October 18, 2022**A RESOLUTION AUTHORIZING A LOAN FROM THE GENERAL FUND TO THE CAPITAL FUND FOR THE LMI HOUSING REHAB PROJECT**

WHEREAS by Resolution 14 of the August 2021 Common Council meeting, the city was authorized to apply for and, if awarded, accept a CDBG grant in the amount of \$500,000 for the “LMI Housing Rehab” project, and

WHEREAS the grant was awarded to the city, and

WHEREAS the grant is reimbursable, requiring the city to pay for the project up front and submit for reimbursement, and

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer is hereby authorized and directed to accept those funds to be set aside and used for the CDBG LMI Housing Rehab Project, and

BE IT FURTHER RESOLVED that the City Treasurer is directed to execute an interfund loan of \$500,000 from the General fund to the following Capital fund account:

H12 -- Capital Project – Housing CDBG

The Treasurer’s Office is directed to ensure that the loan from the General Fund is paid back to the Capital Fund as soon as the grant reimbursement is received.

Approved by Board of Estimate & Apportionment.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

President DePietro stated Proposed Resolution No. 9 would authorize a transfer of funds within Youth Department Accounts to purchase a truck.

Liz Yorck, Director of Youth said “we were able to find the truck, DPW helped us locate one, it’s available to us as soon as the transfer is there”.

Councilmember Sarowar asked “what kind of vehicle”?

Director Yorck said “it’s a 2022 Dodge Ram, 4-wheeled drive truck”.

On motion of **Councilmember Frick**, seconded by **Councilmember Wallace**, the following resolution was adopted by the following vote:

RESOLUTION NO. 9 October 18, 2022

INTRADEPARTMENTAL YOUTH TRANSFERS

WHEREAS, The Department of Youth has insufficient funds in their Equipment Oakdale line to purchase a new work truck, and

WHEREAS, there is excess money in the Personnel Services line,

NOW THEREFORE, BE IT RESOLVED, that the City Treasurer be and hereby is authorized and directed to transfer funds to the following 2022 budget accounts as follows for the Youth Department:

\$40,000.00		From:	A.7310.0100	Personnel Services
	\$40,000.00	To:	A.7310.0200.003	Equipment Oakdale

Approved by Board of Estimate and Apportionment.

Ayes: Councilmembers Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar, Walker, Wallace and President DePietro.

Nays: None.

President DePietro stated Proposed Resolution No. 10 would authorize settlement of Article 7 Proceeding with Galvan Initiatives Foundation and Galvan Civic I, Inc. He stated the Galvan Foundation applied for non-profit status on the property known as Hudson Forum and he said “what happened was, the Assessor denied the application because it was submitted late and

then it was discovered that is not grounds for denying a tax-exempt status”. President DePietro said “this has nothing to do with whether you or I like or dislike the Galvan Foundation, it’s a legal matter that really is kind of out of our hands but I will leave the questions that you have to Crystal”.

Councilmember Morris said “I would like to get more information around their rationale for how it’s going to be used, how this is a non-profit activity and I would particularly like to get information on the use of the 612 Columbia Street property which is separate from the theatre” and she said “I would like to hear from the lawyers on exactly what the basis is for why this is acceptable”.

Crystal Peck, Counsel for the Council said “I did touch base with Victoria Polidoro who’s firm is the one that handles this tax cert matter and she relayed to me that you know, when this came in and it came across their desks, they did an in-depth review, they took a look at this and saw that it was in fact both owned by a non-profit which is relevant to the tax assessment purpose and that it was also going to be used for non-profit purposes” and she said “she had informed me that this is going to be used as a community theatre and that when they reviewed it with both Andy Howard and Andy had also had discussions with Cheryl about this before she had left, that all the attorneys in looking at this, decided that this really did have tax exempt status that went along with it”.

Councilmember Morris asked “exactly how will the 612 Columbia Street property be used”?

Ms. Peck said “I cannot give you that information” and she said “when I talked to Victoria, she said everything was going to be used for a community purpose and she had referenced the Community Theatre”. She said “I do know that they really did take a hard look at this and it was you know, it was their assessment that this needed to be considered tax exempt”.

Councilmember Daskaloudi said “although I am a firm believer that the developers should be paying their taxes, I feel that this building is an absolute eyesore for the community and for people visiting our city, I know they’ve done quite a lot of work during the summer getting the asbestos out” and she said “I feel the kids, local kids don’t have a creative outlet and that could potentially fill the void so I do see a lot of great benefits with it and I just hope that the developer does not disappoint us”.

President DePietro said “I think we should keep our eye on that second building because it’s less obviously part of the Community Theatre Project” and he said “maybe that’s where their offices will be, I’m not exactly sure, we could check with the Planning Board but all these attorneys have decided that is part of the project”.

Councilmember Daskaloudi asked “if we do go ahead and accept the tax abatement, can we revoke it in the future”?

President DePietro said “the Assessor will do that” and he said “if they do anything that’s for profit, it will be revoked, that’s the Assessor’s job”.

Councilmember Morris said “assuming they had filed on time, the Assessor’s Office had looked at it, consulted, said yes this is a legitimate request for non-profit status, an exemption from tax and had made that decision, we wouldn’t be looking at it”.

President DePietro said “correct, that is absolutely correct”.

Councilmember Merante asked “when he took over this property and the timeframe for the application, how come he’s not obligated to pay taxes during that time before the application process” and he said “my understanding is that no taxes were paid on that since he took over”. He said “even if it was for three months, it should be a pro-rated amount that should be collected before the application process” and he said “my concern is 612 you know, I don’t, that’s a residential right now, from my understanding, so I don’t know how that is going to convert”.

President DePietro said “it’s not really in our purview to determine those things”. He said “I don’t want to be in the position to defending the Galvan Foundation and I’m not, I’m just saying that our authority in this matter is really minimal”.

Councilmember Anthony asked “what happens if we don’t pass it”?

President DePietro said “the lawsuit would go forward and then we will lose”.

Councilmember Anthony questioned the timeline.

Ms. Peck said “if the council does not want to vote on this today, what would happen is that Victoria’s firm will go back to the court, let them know that they need additional time to be able to speak with the council to see if they could put it before a vote again” and she said “typically the courts will allow for additional time, I can’t say that every judge always will but typically it is permitted and it can go before the council probably one more time to see if the council will agree with it”.

Councilmember Anthony said “I think it also might make sense to like give us more time to consider what’s going to be done in that space before we write, you know, write off like our property taxes on a very large 1.375-million-dollar combined property value of those two properties” and he said “I would be in favor of like having more time to review this information”.

Councilmember Merante said “right now as it stands it is a complex” and he said “I’m just going to abstain because it’s complex”. He said “if I can make a motion to table this for more information”.

President DePietro asked “second to that motion”? and he said “Margaret”.

Councilmember Rony said “I think all of us need to kind of also, keep in mind that Galvan has a tendency, the Galvan Foundation has a tendency of sitting on properties” and he said “they purchase it and they take it off the tax rolls saying they’re going to put it into a non-profit use and then they sit on it for probably ten years”.

President DePietro said “in this case, they’ve actually done quite a bit towards this project” and he said “I’m not making a case for them, I’m just telling you what the facts are”.

On motion of **Councilmember Merante**, seconded by **Councilmember Morris**, Proposed Resolution No. 10 was ordered **TABLED** by the following roll call vote:

Ayes: Councilmember Anthony, Daskaloudi, Frick, Harris, Merante, Morris, Rony, Sarowar and Walker. (9)

Nays: President DePietro. (1)

Abstained: Councilmember Wallace. (1)

Carried.

Following the roll call vote, **President DePietro** said “I understand your sentiments and I understand how difficult it is for us to deal with a developer who owns a significant part of this City whose intentions are not always clear, who has done some good things, some questionable things but I just want to make sure we stay within what’s the law and what we can control” and he said “I think I understand what’s going on here but clearly we all don’t so we’ll spend some more time on this”.

Councilmember Wallace said “I would just wish that and it could be a Special Meeting, to make this happen, what worries me is you all have to remember that the theatre also received a nine hundred thousand dollar grant from the state and that facelift was supposed to take place this year and most NYS Grants come with a timeframe to that so let’s not cut off our nose to spite our face here”.

Councilmember Anthony asked “isn’t the burden of proof on the Galvan Foundation to provide the information required for us to make like an informed decision”.

Councilmember Wallace said “let’s try to do something in the next week because I don’t want to see it, depending on how that plays out, let’s not make the timeframe for losing a potential nine hundred-thousand-dollar investment to improve the building pass us by”.

Councilmember Morris said “had this gone through normal channels, it would never have come before us” and she stated the onest would be on the attorneys to explain to the councilmembers how 612 Columbia Street should receive the non-profit status as well.

President DePietro said “we’ll either wait until November or we’ll have a special meeting and we will have all the attorneys involved”.

Councilmember Merante said “I don’t think we should have a special meeting because if it’s, if their application was late, that’s on them”.

President DePietro said “it’s been demonstrated by the lawyers, to me anyway, that their late filing has absolutely no.....

Councilmember Merante said “if this is so important to them....” and he said “that late filing is on them”.

President DePietro said “we’ll just put it off until our November meeting” and he said “realizing we’re potentially putting at risk their grant”.

John Rosenthal, former 4th Ward Councilmember said “I just want to remind the current council of the litigious nature of the Galvan organizations and also point out that they threatened to sue me in my capacity as a public official for asking questions regarding due diligence about their operations”. He said “we’re dealing with a billion dollar essentially, property owner here who has non-profit foundations set up essentially so he doesn’t have to leverage any of his money toward the real costs of these developments” and he said “it’s one thing if we’re talking about public housing but it’s another thing if we’re talking about a community theatre, whatever that is, and there’s some legitimate questions here so whether or not the City decides to follow through and take up a lawsuit that we may or may not lose, I think this is a good opportunity to finally ask really hard questions of this group”. Mr. Rosenthal said “if this was so important for them because they’ve been in the press talking about this building, they can’t abide by our filing deadlines, it speaks a lot to how they operate and in my dealings with them repeatedly, they lack the professional ability to be fully transparent on these issues, in fact, they obfuscate, they do all kinds of things and given that Eric Galloway and his entities repeatedly grieved to the Assessor’s Office a fair taxation for properties that he owns in his for-profit capacity, I think it’s just outrageous that yet again this organization that’s supposed to be trying to help the City, is trying to sue us”. He said “if our Assessor had made a decision based on a late filing, I think it’s in the Assessor’s capacity to make that choice” and he said “I definitely look forward to hearing more information here and I applaud the Council for asking of it”. Mr. Rosenthal said “I don’t think the fact that they are getting a grant here should actually play into any decision here” and he said “you all should be doing your due diligence and I really applaud the idea that you’re tabling and to ask more questions, if anyone wants to reach out to me about how my, what I’ve uncovered about how they operate, I’m happy to share it with you all”.

Councilmember Anthony said “I just want to thank Crystal though for you know, really laying out this case” and he said “I hope that our pushback isn’t you know, feel like we’re going against the work that you’re doing or you’ve done, it was very illuminating to read the work that you prepared for us, so thank you Crystal”.

Ms. Peck stated the memo had been prepared by Victoria Polidoro and she said “I will ask in the future that they provide a little bit more of their rationale though for some of these decisions, these requests”.

President DePietro said “just to be clear there was a confidential memo sent to you all so you do know more about this”. He said “as a Council we have to be very careful how we deal with the many entities that go into the name of Galvan because they’re all you know, it’s a legal stew of confusion for us and I don’t even know if that works as a metaphor”.

Mr. Rosenthal said “by design”.

President DePietro said “I agree that it’s by design” and he said “they have no problem employing lots of attorneys”.

New Business.

Councilmember Morris stated the Legal Committee meeting would be held the following night and she said “read the material that I sent out so that we can have an informed discussion about the best approach to the sidewalks, we will then be making a recommendation to the Council on the approach that we think is the most sensible and we are going to need to get some additional information probably from DPW or from Peter on costs of sidewalk, the linear foot for curbs, costs per square foot for sidewalks so we have some sense of the scale of the costs”.

Ron Kopnicki of Hudson, in reference to Resolution No. 4, stated Hudson River Appraisal Group had been mentioned and he asked “they are working also along with Kearney Realty and Development Group, is that right”?

President DePietro said “correct”.

Mr. Kopnicki said “I was surprised not to see Kearney in the resolution because I thought I was thinking of it as basically their project”. He said “I have a request, since old business is mentioned as a category in the Rules of Order that were adopted in January 2022, I would like to see old business included on the agendas for these meetings along with new business”.

President DePietro said “when we have it, we’ll include it”.

James King of King’s Aspect said “I’m very versed in both physical training and you know, motivation as far as like children and people in general”.

President DePietro asked “is this going to be an advertisement for a business”?

Mr. King said “I want to be more and see how I can be more corporative as far as like working with Spark or any other companies, organizations to help the community as far as adding more opportunities for people to get active or to get mental health....

President DePietro said “I understand what you hope to achieve and that’s great but I think you should address the people at Spark directly”.

Mr. King said “I just want to be a help in anyway that I can be” and he said “I’ve been a member of this community for awhile and I just want to find a means to giving back so who better to talk to than leaders and community members....

Councilmember Walker said “I’ve actually spoken to Mr. King before but he was very interested in the you know, physical part of playground so he just wanted to share his thoughts on his availability for when the park is done, he’s a trainer so he has a spot to train”.

President DePietro said “I get it but this isn’t the venue for that” and he said “you should talk to the Youth Department because they’re really going to be you know, probably programming things at the park”.

Councilmember Morris asked “is it acceptable for members of the Legal Committee to participate remotely tomorrow night”?

Ms. Peck said “public bodies fall under the law and technically you would be holding a meeting of committee like a public body in compliance with the Open Meetings Law so I understand you’re not voting; I understand that you know technically you could have discussion and not even have a full quorum but I would say that you would normally follow those rules which would mean that you would have a quorum in person at a city facility for it”.

Councilmember Morris said “I think we may end up having a vote on, ok this is what we want to move forward to the Council, that’s my concern”.

Ms. Peck said “you really want to follow those requirements”.

Councilmember Merante questioned the amendment to code related to dog impoundments.

President DePietro said “there is just a technical issue that Crystal has to look into”.

Tracy Delaney, City Clerk stated the fee schedule had been set by Common Council resolution and she stated she could not be certain if the City Code would need to be amended as well to assess the impoundment fees to the dog owners.

President DePietro said “we’ll have this on the agenda for November”.

Councilmember Merante said “I think there should be some ownership there on the dog owner”.

President DePietro said “absolutely, it’s just about how to do it”.

Jeanette Wolfberg of The Columbia Paper said “with the thing about the Galvan, you were talking about two properties, one is the former Maria Abramovic theatre” and she asked “what is the other property”?

President DePietro said “it’s the little house next to it on Columbia Street”.

Ms. Wolfberg asked “is it occupied right now”?

President DePietro said “I don’t believe so but I don’t know”.

Ms. Wolfberg, referring to Resolution No. 4, questioned the four (4) properties and she said “one of them is on Rossman Street, one is on Mill Street and one is the parking lot across....

President DePietro said “one is a double lot” and he said “Rossman’s a double”.

On motion of **Councilmember Frick**, seconded by **Councilmember Sarowar**, the meeting was adjourned.

City Clerk