

Common Council Legal Committee
Minutes of Regular Meeting
December 7, 2023

In attendance: Councilmember Margaret Morris, Chairperson; Councilmembers Art Frick and Mohammed Rony; Crystal Peck, Counsel
Absent: Councilmembers Theo Anthony and Ryan Wallace

Ms. Morris opened the meeting at 6 p.m. at the Central Firehouse It was conducted via Zoom and livestreamed on YouTube at Hudson City Zoom Meetings.

Citywide Speed Limit

Ms. Morris received price quotes of \$7,500 from Creighton Manning and \$16,120 from FCM Engineering PLLC for a study related to a proposed citywide speed limit reduction. She spoke with Department of Public Works Superintendent Rob Perry, who informed her that the Creighton Manning was very familiar with the city's streets. She recommended, and members agreed, that the committee forward a resolution to accept the quote from Creighton Manning to the full Council for approval.

She also received automobile accident reports from the Hudson Police Department.

Ms. Morris said a presentation was given at a New York Conference of Mayors meeting at the beginning of the year regarding a reduction of speed limits from 30 to 25 miles per hour. There was a significant difference in the rate of pedestrian fatalities attributed to the reduction. "The stopping distance is significantly lower at 25, which also reduces collisions. It's interesting that just that small difference makes such a significant difference in outcomes." She added that the reduction would add little to the time to travel the length of Warren Street to Fairview Avenue, "so I see no downside to this."

Alcoholic Beverages

At Mr. Rony's request, Ms. Morris spoke with representatives of Friends of Public Square (FOPS) regarding a proposed amendment to Article 1 Chapter 65 of the City Code. The change would allow provision of alcoholic beverages at public events held in the city and on certain city property. The group had requested permission to serve alcohol in Seventh Street Park, a/k/a Public Square and were in favor of the change.

Tree Ordinance

Ms. Peck outlined the latest revisions to a proposed tree ordinance, including definitions of what a small caliper would be and what constituted minor pruning. The committee also recommended changing the composition of the Tree Board from seven members to five with representation from each ward preferred rather than mandatory, representation from the Department of Public Works (DPW) and Conservation Advisory Council (CAC), and staggered terms of two and three years. The board would meet a minimum of six times a year.

Ms. Peck said the board would have discretion to authorize waivers if it determined that trees to be removed posed a low risk of personal property damage.

Language was added to require that all debris related to removal of diseased or dead trees from private property be removed to an appropriate location that would not create a nuisance for neighboring property owners or emergency services.

At the suggestion of CAC member Hilary Hillman, a requirement to replace a tree that was removed with a new one of equal caliper size or multiple trees that added up to the caliper size of the removed tree, or a \$350 contribution to a tree maintenance and planting fund was removed. Ms. Peck thought that requirement was broad and could cause some pushback from residents.

Ms. Peck also recommended that requirements for a site plan and an overlay of it and a mitigation plan be limited to projects under review by the Planning Board or to tree removal over a certain number. Members discussed language that specified construction or renovation that impacted public trees.

Ms. Peck also recommended that provisions be added to the city's zoning law regarding a mandatory referral by the Planning Board to the Tree Board on projects before it. Technically the Planning Board should be looking at removal and mitigation as part of the State Environmental Quality Review Act (SEQRA), but inclusion in the zoning law would formalize someone providing specific recommendations at this very specific issue.

Mayor's Aide Michael Hofmann said a tree ordinance was being proposed so the city could seek funding and that process required having the ordinance with an authority and responsibility clause. Ms. Peck said she would check to make sure that language satisfied funding obligations.

Resident Carole Osterink said one of the reasons for having a Tree Board was to prevent wholesale cutting down of trees. Not all projects would be before the Planning Board and some old and valuable trees could be lost as a result. Members discussed a minimum or maximum number of trees that could be removed in a certain time frame as an addendum to a tree permit.

Formula Retail Law

Ms. Morris said she had not received any feedback from the business community on the city's formula retail law so she felt that the committee should move forward without it.

Mr. Frick made a motion to adjourn at 6:44 p.m., which was seconded by Mr. Rony and approved by all members in attendance.