September 17, 2024

A Regular Meeting of the Common Council was held in-person in the Common Council Chambers, City Hall, 520 Warren Street as well as remotely via Microsoft Teams on Tuesday, September 17, 2024, at 6:00 PM with President Thomas DePietro presiding.

Upon roll call there were present: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo 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 Morris,** seconded by **Councilmember Sarowar**, the minutes of August 20th meeting were ordered received and placed on file. Carried.

Committee Reports.

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

Legal Committee

August 7, 2024

In attendance: Councilmember Margaret Morris, Chairperson; Councilmembers Mohammed Rony, Dominic Merante and Jennifer Belton; Crystal Peck, Counsel
Absent: Councilmember Gary Purnhagen

Ms. Morris opened the meeting at 6:05 p.m. at City Hall. It was conducted via Microsoft Teams and livestreamed on YouTube at Hudson City Zoom Meetings.

Formula Retail Law

Ms. Peck gave an update on changes to the formula retail law. She said all businesses had to be put on notice about the law. She had not yet figured out which section of the zoning code was the best place for it but was considering the supplemental regulations for non-residential buildings might be appropriate. She planned to have it ready for the Common Council's Informal meeting next week.

Filming Law

Ms. Peck said the section of the proposed filming law related to still photography was updated to require a permit for crews of three instead of two to account for a lighting technician. Alex Petraglia of the Hudson Business Coalition (HBC) asked why that applied only to still photography and not video as well. When the law was written still photography was not included and that led to how to differentiate between someone simply taking a photograph versus a full-

fledged photo shoot. Adding the lighting piece would address that. “There were no questions on how we were defining video.”

Resident Matt McGee said he had an interest in photographing historic buildings and such. “It doesn’t hurt to have someone watching your back. I think that three is kind of narrow. Maybe you should ask for four because three people doing a shoot is not a crowd. Four starts to be, maybe five, but three is not enough people doing something.”

Ms. Morris said she would get feedback from former Councilmember Theo Anthony, who originally worked on the law.

Mr. Rony pointed out that today’s equipment could be handheld and very portable so the user could easily move out of someone’s way. He added that someone could film on their cell phone. Perhaps equipment taking up space was the issue.

Ms. Morris asked if the definition of a crew should be added and a list of common functions of a crew. Ms. Peck said a solution would be to include some definitions of those involved in the production or not appearing as subjects in the shoot, and to list some of the commonly referred to but not limited to functions that would be part of the crew.

Short-Term Rentals

The topic of short-term rentals was added to the agenda because the state Senate and Assembly recently passed legislation related to such. Ms. Morris felt that Hudson’s law was not aligned with the state’s definition of STRs. Even though the proposal had not yet been signed by the governor, Ms. Morris said it was likely that some version of it would soon become law. “In light of that I wanted to start the discussion by circulating to everyone the law that was passed, also the section of our law that talks about short-term rentals.” She also had information from Housing Justice Coordinator Michelle Tullo, whose office is responsible for implementing and enforcing the rules regarding STRs.

According to Ms. Morris, the state legislation will require all STRS to be registered. Also, the definition of an STR included renting a room in one’s home. Hudson’s law does not define it that way; it requires the unit have a separate entrance. The state legislation also allows municipalities to come up with their own rules and regulations, “however one of the things that I think is possibly very good about the New York State law is that it is developing a registry and is putting a lot of responsibility on advertising platforms…that they have to verify that what they are posting is actually registered and legit and that the person posting it either owns what they are posting or they have written permission from their landlord to rent out their apartment.” She added that the registry would include data such as the number of days the unit was rented, how much it cost and what the taxes are.

She wanted to get more information on how the registry would work. She was informed by Ms. Tullo that 62 sites are registered in Hudson. The fee is $100 plus $25 per bedroom. She felt that penalties should be discussed. “When I was looking at this, given the number and how much revenue is likely coming in from that, it wouldn’t surprise me if we’re barely breaking even on compliance versus revenue…,” Ms. Morris said. “I think if we look at it and we see how much time and effort it’s costing us for the sake of 70 off short-term rentals, I think that’s a question that we should be thinking about, particularly if it’s more efficient.”

Ms. Morris said she also asked Ms. Tullo how often her office received complaints and was told rarely.

Members also wanted to know how many STRs had become full time rentals.

Good Cause Eviction Law

Mr. Merante and Council President Tom DePietro wanted the committee to start discussing and researching a good cause eviction law. Other municipalities have opted into the state's law and some involved a vacancy study. Hudson was not eligible in the past because it did not meet the vacancy study criteria. The City of Kingston's study was challenged because buildings were included in which the landlord did not provide information.

Members discussed what units would be affected and whether the law would benefit tenants. They also discussed the problem of contacting owners, specifically those listed as limited liability companies.

There being no further business or comments, the meeting was adjourned.

Informal Meeting

August 12, 2024

In attendance:
Council President Tom DePietro
First Ward Councilmembers Margaret Morris and Gary Purnhagen
Second Ward Councilmembers Mohammed Rony and Dewan Sarowar
Third Ward Councilmembers Shershah Mizan and Lola Roberts
Fourth Ward Councilmembers Jennifer Belton and Rich Volo
Fifth Ward Councilmembers Vicky Daskaloudi and Dominic Merante
Fire Chief Shawn Hoffman; Police Chief Mishanda Franklin; Department of Public Works Superintendent Rob Perry; Crystal Peck, Counsel
Absent: Senior Services Commissioner Nea McKinney, Youth Department Director Liz Yorck, Youth Commissioner Maija Reed

Mr. DePietro called the meeting to order at 6 p.m. at City Hall. It also was conducted via Microsoft Teams and livestreamed on YouTube at Hudson City Zoom Meetings.

Minutes and Communications

Councilmembers received minutes of a special meeting and their Informal meeting of July 8, their regular meeting of July 16, a public hearing on a Community Development Block Grant project on July 24 and a special meeting of July 29, the Legal Committee of July 11 and the Public Works Board of July 25.

Department Reports

Fire

Chief Hoffman reported 34 calls for service in July, which included one for mutual aid**,** a brush fire, five rescue calls (four auto accidents and one water rescue at Queechy Lake in Canaan that was called off), three calls for hazardous conditions, three service calls (two for water problems), one unauthorized burn, one good intent call and 20 false alarms.

Police

Chief Franklin said there were two incidents involving use of force in July, one in which a taser was displayed but not deployed and the other in which a taser and pepper spray were used on someone who was actively resisting policy. There were 17 arrests on 39 charges, five calls involving emotionally disturbed persons and no drug overdoses.

National Night Out had a great turnout and good feedback was received. Chief Franklin hoped it would become an annual event locally.

There were no auto accidents involving pedestrians in July.

Ms. Morris said removal of the no right on red sign at the intersection of Fairview Avenue and Green Street had been brought up several months ago. She said she discussed the issue with DPW and was informed that the intersection was designed and developed by traffic engineers and that there were no issues with it unless the Police Department felt that there should be a sign there. As far as she was concerned, the matter was closed.

Chief Franklin said the intersection was designed so the timing with the traffic lights would prevent any issues with the right on red. She researched incidents that occurred there this year and found one accident that occurred in April when a driver thought they could turn right on red stopped instead and was rear-ended. She was unsure if putting a no turn on red sign would have prevented that accident because the driver still would have stopped abruptly. She said most accidents in that area occurred in the parking lot of Stewart's.

The chief told Ms. Daskaloudi that parking signs for Oakwood Boulevard were ordered in June but she would have to check with the DPW on whether they would be put up before school opened.

Department of Public Works

Sewer

Mr. Perry reported septage revenue of $46,864 for June.

The annual inspection of the sewer plant was conducted on May 30 and received a rating of satisfactory, the highest given by the state Department of Environmental Conservation (DEC). A follow-up was requested because a chief operator left for a higher paying job. An employee of the Water Department who also has a sewer license was moved into that position. The follow-up is to affirm that the new chief operator took all of the regulatory steps for the position.

Heavy rains caused high flow in the sewer plant that caused grit to back up into the collection system. "We have some options to discuss with DEC, but we have to take some precautions because the system upgrades that we've done are now delivering more storm flow to the plant. It's significantly more than we had anticipated."

Purchase orders for new bar screens, which are the front of the treatment process, were issued in May but there is a roughly six-month lead time. A bypass pump is being used temporarily to divert flow to clear the grit channel.

Water

No deficiencies were found by the DEC in the biannual inspection of the Churchtown dam. “That’s about as good as you get from the DEC.”

A valve in a pit that was done when the new plant was built 15 years ago malfunctioned and will have to be replaced.

Staff have gone door-to-door for the lead service inventory project and about two-thirds of city properties have been surveyed. They are on pace to meet the October deadline.

DPW

Mr. Perry shared a photo of a pallet full of thermoplastic paint to repair existing crosswalks and stop bars. “This is what $10,000 looks like.” Striping paint was used in the past, but come January, the paint was gone and by March people complained that “DPW hates pedestrians, DPW hates crosswalks.” The thermoplastic paint lasts a couple of seasons. The downside is that it is very labor intensive and requires four or five crew members to apply. “It’s a couple hours’ worth of work easily.”

There were questions a few years ago about what DPW did in the summer, so he went through all of the time sheets for July. There are nine employees in street maintenance, two in parks, three in refuse and two are mechanics. Although parks and refuse are pretty well staffed, people are shifted from DPW for vacations. For example, on July 24 there were only three crew members available for street maintenance. Blacktopping and striping are labor intensive. “We just simply can’t staff the crew.”

A policy in which overtime could be used as compensatory time would have decreased the cash impact on the budget, but the problem is “we can’t do work without the guys here,” Mr. Perry said. Some employees have been on board a couple of years would have two weeks of vacation, but they have another two to three weeks of compensatory time because they’ve worked overtime on weekends, on refuse and various projects. He hoped the issue would be revisited during union contract negotiations next year.

New lifts were installed at the DPW garage, and a large amount of brush was picked up. He said the latter consumed a lot of manpower and the topic of constraints should be revisited.

The new streetlights have smart nodes that communicate with each other. If there’s an issue with one it will send an alert through software. The contractor for the project had to use a scissor lift to complete the streetlight conversion in parks and that added $8,000 to the cost, which was covered in contingency.

An online auction of surplus equipment is planned. He cautioned councilmembers not to get their hopes up on revenue. “Almost everything that we auction is dead by all mechanic standards and usually it’s scrap value.” He said the surplus vehicles might fetch a few hundred and surplus dump trucks might get $500 to $800 “simply because they’re just that far gone.

Engines, chassis, axles, frames, you name it, they have issues with it all, but they do have some cash value." Resolutions authorizing sale of surplus equipment and to enter into an agreement with Auctions International would be sent to councilmembers.

Downtown Revitalization Initiative

Prep work started on the South Second Street to Cross Street stairs, but heavy rain washed it out.

Site work on sidewalks for Americans with Disabilities Act (ADA) compliance was underway including saw cutting on the southwest side of First and Warren streets and the Front Street bike path. The northwest side of First and Warren was demolished, and site preparation was under way.

ADA

ADA compliant parking spaces were installed in the Amtrak lot. Van accessible spaces were installed in the north side of the lot behind city hall as well as car/van accessible spaces on the south side. An ADA path to the sidewalk was put in at the Amtrak lot.

The cost of sidewalk ramps had not come in yet. Work is expected to start the last week of August. Ramps are to be installed on basically all of Warren Street and a number of other intersections. They will be cut to make sure everything is flush and then trimmed out as the ramp goes further up into the sidewalk to ensure ADA standards for egress and pitch are met.

Ferry Street Bridge

Forms and rebar are being installed on the Ferry Street bridge. The new rebar will get turned into lattice. Once done, concrete will be poured. A number of tests have to be done prior to pouring including for temperature, air, slump and 14-day breaks. The east abutment is complete and the new penetrations for new water and gas mains are in. The base for the bridge bearing has been poured.

The trusses of the bridge are on bearings so they can move. "The bad news is that…construction of these is delayed so there's really no more work to be done on the bridge until we have those. We're looking at a two-week shutdown of the project. These have to be fabricated and then they have to go to DOT (state Department of Transportation) to be tested. So hopefully within two weeks we're back on schedule. There is some play within the schedule but there's really nothing to do without having this key component."

Council President DePietro asked Mr. Perry to explain how a consent decree regarding the sewer system impacted projects before the Planning Board. Mr. Perry said the city's state pollutant discharge elimination (SPDES) permit states that any new connections that exceed

2,500 gallons a day or exceed four connections cannot increase the quantity or strength of the combined sewer overflow (CSO). The first instance is difficult to prove but the latter is impossible to meet because if one new gallon of sanitary flow is added and if there is a CSO event, "you've increased the potency. There's no way around it."

The city's permit is old, and the DEC is in the process of modifying it. Because the permit has not been changed yet, "we have no way, no mechanism within our current long-term control plan, SPDES permit or any of our other approved regulatory documents so they issued a consent order so that way we can replay to that consent order with the mechanism to address this issue. The reality is, if you're a new developer you're going to need some kind of an offset for the number of gallons of sanitary flow—not storm flow—and those will be a four-to-one offset in the system not on your property."

For example, if a planned restaurant was to generate 5,000 gallons worth of new sanitary flow, the developer would have to find 20,000 gallons worth of storm water savings in the system. He said it was an expensive undertaking. "In the interim, the city has been given credits for work that it's already done on Union Street and down on Columbia Street, lower Columbia, and on Front Street. The…net value of that is about 600,000 gallons since it's a four-to-one ratio, that means 150,000 gallons can be sold by the municipality to the projects. They really can't be given away because the taxpayers paid for them, and these are private development projects."

The DEC has to review and approve the process, which he said is done in other municipalities. Developers can either purchase the credits or propose separation projects within the system and construct them on their own then convey it back to the city upon completion. Once approved by DEC, the city will have to codify the mechanism.

Ms. Daskaloudi asked how many crosswalks could be done with a $10,000 pallet of thermoplastic paint. Mr. Perry said there were 100 to 120 crosswalks that all last for a couple of years. The material also is used to maintain the existing crosswalks "so basically, we're treading water. We're able to repair the ones that are in the worst shape as well as stop bars." About $110,000 is spent a year on that material, which is 12 to 15 percent of the annual budget. That amount is designated to pay for fuel for all the department's vehicles, materials that go in the streets for restoration work, brick to rebuild catch basins and concrete. "There's a lot of things that get charged against that account. $10,000 doesn't sound like a lot but it's about 12 percent of what you give us."

Besides funds for material, appropriate staffing is an issue. There is a vacancy, but a couple of qualified people indicated that the city's salaries were too low. A mechanic that left a few years ago was earning $23 an hour; at the school district he makes $30 or $32 an hour. "It's not like people are leaving for 15 cents or a dollar an hour. We're competing against significantly higher salaries."

Returning to the original question, Mr. Perry said the pallet would get most of the crosswalks in need of repair done this year, but not any new ones."

Ms. Roberts asked Mr. Perry why a tub was sitting in front of the Olympic torch. Mr. Perry said he was unaware of it.

Ms. Morris asked when the stretch of Union Street from Fifth Street down would be done. Mr. Perry said the patches were done by National Grid. He believed the utility was waiting for its crews to finish up on the 300 block of State Street. Once that work was finished, they will bring in a crew to mill and pave the street.

Ms. Morris asked if they had to wait until the sewer work was completed on that stretch of Union Street. Mr. Perry preferred that they do it after the sewer work was done to avoid cutting through new pavement. “It’s their schedule. We can’t dictate when they come in and do their work. They want to wrap this up and move on.” He figured that the project would be finalized next year.

Ms. Morris asked when the sewer work would commence. Mr. Perry said it should start in a week or so and be done around October.

Resident Bill Huston asked Mr. Perry if he had office hours as he was able to locate other department heads in their offices. Mr. Perry said he was in his office today for four hours. Mr. Huston asked where his office was. Mr. Perry said he was in the treasurer and clerk’s offices earlier. “Is this issue a joke to you Mr. Perry? Is it something that nobody—nobody—knows where your office is, and you can’t be found in person? Both of your clerks have told me numerous times that you are never—never is the word they use—never in the DPW offices on the second floor of City Hall. Do you have an office anywhere that a human being can contact you in person.” Mr. Perry replied: “The city is my office.”

Mr. Mizan requested that an intersection at Prospect Avenue and Columbia Street be considered. Mr. Perry asked what kind of study would be done because the cost could range from $5,000 to $100,000 depending on what was done. Mr. Merante said studies had been done in the past. Ms. Morris asked what a study would try to detect. Mr. Mizan was concerned about safety at that site. Ms. Morris said the first step would be to find out the number of accidents there. Chief Franklin said she could generate that data and asked how many years she should provide. Mr. DePietro said at least five years or more.

Mr. Merante said one of the first things that could be done was to reduce and eliminate signage during political seasons, which he said created a visual barrier. Some signs may be low but there is no uniformity and were placed wherever people wanted them. Signs could be prohibited if safety was an issue. Ms. Morris countered that the city would have to demonstrate that there was an increase in accidents during election cycles “because if there’s no observable impact, then how can you suppress [signage]?”

Ms. Morris said the city could have a traffic engineer look at the area to see if there was a better design for the intersection.

Resolutions

Mr. DePietro asked that discussion be held on resolution to authorize an addendum to the master customer agreement with T2 Systems for MobilePay software at an initial annual amount of $1,250.39 covering up to 100 system-wide transactions and 200 system-wide public messages per month. Transactions over the initial 100 will cost 27 cents each with Gateway transactions bill at 12 cents per transaction. Ms. Belton introduced the resolution and Ms. Morris offered a second.

Mr. DePietro said the software would start the city's efforts to put kiosks in all five of the municipal parking lots and then add them to the unmetered sections of Warren Street.

Ms. Peck said the city entered into a master agreement with T2 Systems in February for parking enforcement software. The resolution to be considered is for MobilePay software that will go with the pay stations the city will purchase through Integrated Technical Systems Inc. (ITS). A separate contract for the latter will be presented to councilmembers next week.

Mr. DePietro said the Parking Committee interviewed several companies before settling on ITS and MobilePay.

Mr. Purnhagen asked for confirmation that the entire length of Warren Street would be metered. Mr. DePietro said that was correct and cited a parking study that highly recommended such.

Chief Franklin asked if the system would be based on license plates for the kiosks instead of parking space numbers. She asked that the Council consider changing the long-term lot near the Amtrak station from numbered spaces to license plates. Mr. DePietro said that was part of the plan.

Councilmembers discussed an issue regarding vehicles whose plate numbers were not connected to the actual owner being ticketed and some being ticketed for being in the wrong space number after the numbers were moved by DPW during improvements in the lot. Chief Franklin said the plate number issue was an internal issue that was being worked on.

Ms. Belton asked how quickly the kiosks and software could be implemented. ITS representative Joe Yorlano said the process would take four to six weeks. Setup, programming and paperwork will be done while waiting for the equipment. Training will occur while the equipment is installed.

Ms. Daskaloudi asked the length of the warranty and was told it was a full year for the hardware, software and labor. Mr. Yorlano added that the pay by phone piece would take three to four weeks to implement.

Ms. Daskaloudi also asked how repairs would be handled. The typical response time is 24 hours and ITS stocks all spare parts. ITS has between 2,500 and 3,000 pay stations installed through the northeast and as far south as Atlanta, GA. ITS has worked with T2 for 16 or 17 years. She asked if the assistance provided would be part of the contract and not extra. Mr. Yorlano said the initial warranty period was fully covered. "After the warranty period ends,

you'll have the ability to re-up for either hardware and software, or hardware, software and labor." Most went with the hardware and software extended warranty. Ms. Daskaloudi asked the cost of the extended warranty and was told it would be $950 to $1,000 per unit and if hardware, software and labor was sought the cost would be $1,600 per unit per year.

Ms. Morris asked how the kiosks would be rolled out to the public. Mr. Merante said the city would have four to six weeks to come up with an idea.

City Treasurer Heather Campbell asked if all the costs were covered under the amount budgeted for replacement parking systems. She also said renewal costs were needed, including any additional warranties, for 2025 budget preparation. Ms. Campbell also said that one way to notify residents and property owners would be to place notice of the kiosks in the quarterly water and sewer bills.

Mr. Huston asked if the new system would be initiated without a proper Parking Department. Mr. DePietro said the Parking Committee agreed that the new system would increase revenues that could be used to hire a parking director. Mr. Huston agreed and said the city was "putting the cart before the horse. You'll never succeed."

Stuyvesant resident Sarton Weinraub, a commuter who parks in the Amtrak lot, said a group of parking pass holders was being formed to oppose the dissolution of long-term parking passes. He said he had paid $1,000 a year plus, on average, $200 a weekend to go to restaurants in Hudson. Now he's considering going to Poughkeepsie to park because it will be cheaper. If he and others did that, he predicted a loss in revenues for the city. "The amount of income that's going to be lost suggests that this was a very short-sighted decision to take away the long-term parking passes."

Mr. Weinraub was upset that the change was made without representation or communication.

Ms. Belton said she commuted to New York City three times a week for 10 years and was familiar with the parking situation. The software that the city is considering will require commuters to reup daily and likely would not cost as much.

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

• Appointment of Anthony Conn, Randy Strattman, Nicholas Hodges and Sarah M. Cook as Commissioners of Deeds from September 1, 2024, through August 31, 2026. Introduced by Ms. Morris and seconded by Mr. Sarowar.

• Authorization to accept a $500 donation to the Fire Department from Hudson Valley Ceremonies. Introduced by Ms. Morris and seconded by Ms. Roberts.

• Authorization of a budget amendment of $4,143.64 related to the Oakdale beach house feasibility study. Introduced by Ms. Morris and seconded by Ms. Belton.

• Authorization to accept a $11,231.25 donation to the Fire Department from the Hudson Development Corp. from the Oakdale Plunge fundraiser. Introduced by Ms. Belton and seconded by Ms. Morris.

• Authorization to accept a $11,231.25 donation to the Youth Department from the Hudson Development Corp. from the Oakdale Plunge fundraiser. Introduced by Ms. Belton and seconded by Ms. Morris.

• Authorization to accept a $441,011 grant awarded on December 16, 2022, from the Environmental Protection Grant Fund for Parks for the Oakdale Park improvement project. Introduced by Mr. Sarowar and seconded by Ms. Roberts.

• Authorization of a memorandum of understanding with the Sylvia Center to provide a summer garden/cooking education workshop for the Youth Department. Introduced by Ms. Roberts and seconded by Ms. Belton.

• Authorization of a memorandum of understanding with the Sylvia Center to provide a fall garden/cooking education workshop for the Youth Department. Introduced by Ms. Roberts and seconded by Ms. Belton.

• Authorization to accept $654 in donations to the Senior Center. Introduced by Ms. Morris and seconded by Ms. Daskaloudi.

• Authorization of 1.5-hour site plan basic training and two-hour MuniCollab software training for the Planning Board. Introduced by Ms. Morris and seconded by Mr. Sarowar. Councilmembers did not agree that software training should count toward satisfaction of the annual training requirement for board members. They also wanted the board's attorney to provide a synopsis of what training was provided. Mr. DePietro wondered why the attorneys were called on for training when the state offers it.

• Authorization to renew a five-year lease agreement with PBF Hudson LLC to rent a portion of the vacant lot at 604 Washington Street across from the Central Firehouse for $12,500 per year. Introduced by Ms. Morris and seconded by Mr. Sarowar.

Ms. Peck said the original two-year lease was for a portion of the parking area. PBF Hudson asked for a five-year renewal with an option to renew for another five years. The option was left off.

Ms. Morris said the rationale for the original lease was to provide parking for construction vehicles. "It was supposed to be a temporary thing. It was not intended to be a long-term parking arrangement so that surprises me that we're looking at this now as some kind of long-term situation."

"I think we need to take a look at this because this was not the original intent. I think we need an escalated fee," Mr. Merante said. Ms. Peck said the Council could talk about specific terms of the lease to be negotiated in executive session and brought back to PBF Hudson.

"The questions for me are not so much about the terms of the lease, it's the intent of the original lease [which] was a temporary lease during construction," Ms. Morris said. "I think one of the things the Council has to think about is what are the implications. We need to look at the big picture of parking in that area and in that ward and what potential we were giving this up for the short term. It wasn't a large amount of parking involved; it was just a small section of it. I think we really need to go back and think this through. Is this a long-term plan that we want to have? They consider that it's going to take another five years to finish. We need clarity of this."

Local Law

The following local laws were placed on councilmembers' desks:

• Amendment to Chapter 70 §70-4 and 70-11 of the City Code relating to the restraint of animals.

• Amendment to Chapter 305 Article II Section 305-3 of the City Code to reduce the speed limit to 25 miles per hour on city streets except on Fairview Avenue on the western city boundary to Graham Avenue, which will be 40 miles per hour, and on Route 9G at the eastern city boundary to the intersection of Power Avenue, which will be 35 miles per hour.

• Amendment of Chapter 325 Articles V and XIV of the City Code related to regulation of formula retail businesses and preservation of community character.

• Addition of Chapter 132 to the City Code regarding filming in the city.

Other Business

Mr. Merante made a motion to enter executive session at 7:25 p.m. to discuss potential litigation. Mr. Sarowar offered a second and the motion was approved by all members in attendance. Ms. Morris made a motion to return to regular session at 7:49 p.m., which was seconded by Mr. Sarowar and approved by all members in attendance. Mr. DePietro said no decisions were made.

Mr. Sarowar made a motion to adjourn at 7:50 p.m., which was seconded by Mr. Merante and approved by all members in attendance.

Finance Committee

August 20, 2024

In attendance: Councilmember Rich Volo, Chairman; Councilmembers Vicky Daskaloudi, Margaret Morris and Lola Roberts; Treasurer Heather Campbell
Absent: Councilmember Shershah Mizan

Chairman Volo called the meeting to order at 5:15 p.m. at City Hall. It was livestreamed on YouTube at Hudson City Zoom Meetings.

Treasurer's Report

Ms. Campbell reported that parking revenues were $474,220, or 45 percent of budget, through July. Parking ticket revenues were $178,389 through July, or 45 percent of budget. She will reach out to the Police Department to discuss why, since a parking enforcement officer had been hired.

Building permits and fees were at 65 percent of budget through July and totaled $158,849.

Sales tax revenues totaled $1,081,907 through July, at 47 percent of budget. Only two of the quarterly sales tax payments have been received so far and the third quarter is usually the highest. Mortgage tax comes in two payments and amounted to 46 percent of what was budgeted, at $103,419 through July. The next payment should be received shortly so an updated number will be provided next month.

The total lodging tax of $68,057 reflected only the first quarter of the year. Work has been done to identify which short-term rentals (STRs) are not in compliance. The first step will be a warning letter to register. Ms. Morris said the penalties for non-registration should be looked at since that might encourage compliance. At the last check, there were 68 STRs and four were not in compliance. Discussion followed on software used for the process and a more streamlined application. Ms. Campbell said the question will be how good the reporting capabilities are in the new software.

Upcoming conversion of general ledger software and utility billing has been moved to the first quarter of 2025 to accommodate 2024-2025 school tax conversion and production of 2025 tax bills.

Fund Balance Policy

Ms. Campbell shared a copy of a fund balance policy that should be reviewed and approved each year. The one shared was from 2017 or 2018 and was approved again in 2019, then the pandemic occurred. "At the end of the day…the big question is what percentage you want to set aside."

Grant Manager

Ms. Daskaloudi asked for an update on hiring a grant administrator. There was no new information. Ms. Campbell said many grants contain a percentage for administration.

The meeting was adjourned at 5:50 p.m.

Public Works Board

August 22, 2024

In attendance: Councilmember Gary Purnhagen, Chairman; Mayoral Aide and ADA Coordinator Justin Weaver; David Marston
Absent: Public Works Commissioner Jason Foster, George Kroenert

Mr. Purnhagen opened the meeting at 6:02 p.m. at City Hall. It was conducted in a hybrid format—in person, via Microsoft Teams and livestreamed on YouTube at Hudson City Zoom meetings.

Mr. Marston made a motion to accept the minutes and place them on file. Mr. Weaver offered a second and the motion was approved by all members in attendance.

Mr. Weaver gave an update of what had been accomplished since the July meeting. Precision Safe Sidewalks LLC officially came on board and had already completed two curb ramps, one at the corner of Sixth and Warren streets and the other at Seventh and Warren streets.

A Zoom meeting was held with Alyse Bass of the U.S. Department of Justice (DOJ), representatives from Crawford and Associates, Mayor Kamal Johnson, Mr. Foster and himself during which the city explained its plan. Mr. Weaver said the DOJ was very happy with the progress. He planned to send photographs of the completed curb ramps to the DOJ to keep the lines of communication open.

The DOJ questioned parts of Precision Safe Sidewalks' proposal. One was a statement that said the company was making the repairs at the city's direction but could not guarantee a final Americans with Disabilities Act (ADA) compliance for the ramps because the scope of services was limited. He described it as a "little blip" because the entire proposal referred to ADA compliance. He said Mr. Foster explained that the language was standard in the sense that the city's streets were unique because of the slopes and other reasons "but the assurance came in where if by chance the finished work by Precision Safe Sidewalks is not palatable to DOJ, Crawford and Associates will then come in and tinker to their satisfaction. They don't foresee that happening."

Mr. Purnhagen asked for a ballpark figure on the cost. The entire scope would be $34,240, which included three ramps at Warren and Fifth streets, three at Warren and Fourth streets, Warren Street and City Hall, and Third Street. The South Front Street ramps are part of the Downtown Revitalization Initiative (DRI). He said a contract for the work to be done would have to be submitted to the Common Council for approval.

Mr. Purnhagen asked for an update on the DRI. Mr. Weaver said a meeting was held earlier in the day regarding the Hudson Streetscapes portion of the DRI project, which includes nearly all of the sidewalks/curb ramps from Front Street to Second Street. Since July 23, the contract had removed the existing staircase between Allen and Cross streets, the surface was graded and a fence placed around the work site, and a sub-base was placed on the surface and graded. The corners of Warren and First streets were saw cut, the sidewalk and curb removed, and a sub-base placed to create a walking service for pedestrians. According to the schedule posted on the city website, the concrete should have been poured by now, but radiant heat was found underneath the surface at the corner nearest Sam's Market. Work was halted while the contractor spoke with the store owner, who allowed them to proceed. Mr. Weaver said work should begin next week or the week after.

Test pits were dug along South Front Street to locate utilities. The sidewalks and curb along Front Street were removed and a sub-base graded from the south end of the project moving north. Granite curb was placed at the intersection of First and Warren streets as well as the top of the staircase at Allen Street. As removal and placement of sub-base began on North Front, tree trimming and removal began on North Front. Crews relocated or were in the process of relocating existing fire hydrants, however at the meeting today, Department of Public Works Superintendent Rob Perry reported that new hydrants were purchased. Over the next two weeks crews will continue demolishing sidewalks and put in drainage manholes on Front Street. Mr. Weaver said a more detailed list of what would happen in the next two weeks would be provided.

Mr. Purnhagen stressed that while DRI work was not under the board's purview, it involved sidewalks and members needed to keep people aware of what was going on.

Mr. Weaver said that despite some shifting and minor issues, work was still on schedule.

Work at Third Street and Cherry Alley, near the Youth Center, will be put out to bid next week. Responses were expected a week later and if the board approved of one, it would be sent to the Common Council for approval. A request for proposals (RFP) for Fourth Street and Cherry Alley will be out the following week. “They’re also working at analyzing Fifth, Sixth and Seventh, the streets themselves, particularly those going to the municipal buildings.”

Members discussed funding and disbursements and scopes of work.

On another matter, Mr. Purnhagen said there was not a single source of all the data the board will need for assessment calculations. “It’s going to become a data input project.” Mr. Marston hoped that at a minimum, spatial data would be available so the board could carve out priority areas. Mr. Purnhagen said a permanent database would be created. Parcel data from the county is a big piece of the puzzle. He added that Crawford and Associates said they would manage the data input. Members felt that the city should have the database for a number of reasons, including better communications with utilities.

There being no comments from the public, the meeting was adjourned at 6:29 p.m.

Parking- Ad-Hoc Committee

August 27, 2024

In attendance: Common Council President Tom DePietro; Councilmembers Dominic Merante, Vicky Daskaloudi, Jennifer Belton, Dewan Sarowar
Absent: Mohammed Rony

Mr. DePietro opened the meeting at 6 p.m. at City Hall. It was conducted in a hybrid format—in person, via Microsoft Teams and livestreamed on YouTube at Hudson City Zoom meetings.

The purpose of the meeting was to discuss what the committee has accomplished so far and to develop an agenda going forward. The Common Council approved the committee’s recommendation to install kiosks on Warren Street between First and Third streets, in the Amtrak lot and the municipal lot on Union Street.

The immediate plan is to get T2 Systems and Integrated Technical Systems Inc. (ITS) to give a projection on how, when and where the kiosks will be installed. “The biggest thing is how we decide to roll this out,” Mr. DePietro said. Notice in water and sewer bills, newspapers and the city website were suggested.

Members discussed fees for kiosks versus meters in other areas of the city.

The possibility of a parking coordinator or an administrator was discussed and whether the position should be union or not, or hourly versus salaried. The Common Council will have to weigh in on those options.

Training also was discussed. Kim Gaylord who works in the Parking Bureau will definitely be involved. Ms. Belton said some of the items the city wanted could be written into the software used for the kiosks. Ms. Daskaloudi thought that the city should hire someone to take care of all aspects of parking.

All agreed that Department of Public Works Superintendent Rob Perry should be involved in placement of the kiosks. There will be 16 kiosks, 12 of which will be on Warren Street and two in each of the lots.

The meeting was adjourned at 6:27 p.m.

President DePietro said "before we proceed, I want to talk about two procedural issues that have come up recently both of which have been the subject of much unnecessary rigmarole, one is course, the next section which is communications" and he said "sharing communications with the public at large is not a requirement, we do it in the interest of open government but I realized I've made a mistake in the past because you all know we get sometimes three a day from a certain citizen, Bill Huston, and I have not been including them, the fact is if you include any, you must include all so what you should be thinking about is do we want to actually include communications in the public record, they're always subject to FOIL".

Councilmember Morris said "we get communications on all kinds of topics every day, I think that we could take an approach where if it's communication about something that's on the agenda for the council to consider so, a particular law or whatever, then those we could share" and she said "we don't have to put everything in there".

President DePietro said "if it's addressed the council, you all definitely see it."

Councilmember Morris stated there could be a fairly straightforward approach that communications pertinent to council business be uploaded.

Councilmember Volo said "I think that's a little too subjective, if someone has a communication and I tell them, if you want this to be including in the official minutes then you send it to all ten councilmembers and Tom."

Crystal Peck, Counsel for the Council, said "City of Hudson has been unique in how they handle their communications by formally accepting communications that come to the Common Council and then publishing them on the city's website" and she said "it's not legally required, it's great for government transparency." She said "the Common Council is entitled to put in place a time, place and manner restrictions" and she said "it's all on how the council wants to regulate this process." Ms. Peck said "it can't discriminate on content and what I mean by that is that you can absolutely say just the agenda items, that's fine but you can't say I'm only going to publish things that are in favor of this law and I'm not going to publish things that are in favor of that one" and she said "it has to be applied equally to everyone". She said "if every time you're going to get communicated with the public, an individual councilmember and you include that as part of you know, your official communications and part of the minutes, it's going to get out of control for you fast" and she said "I would recommend it is, either figuring out if you want it limited to agenda items or communications that are submitted to the City Clerk within twenty-four hours before meeting, things of that nature so just to get a little bit more control over it".

President DePietro said "we don't have to decide that right now." He said "the other procedural thing has to do with the topic of recusals which Crystal has written to you all as

councilmembers about and I just wanted to once again make clear, I have never asked anyone to recuse themselves, they have decided that themselves."

Communications.

On motion of **Councilmember Morris,** seconded by **Councilmember Sarowar,** the following communications were ordered received and placed on file:

1) Brittany G opposing the installation of parking meters.
2) Carmen Gonzalez relating to Good Cause Eviction.
3) Constance Jennings relating to Good Cause Eviction.
4) Amy Tompkins relating to Good Cause Eviction.
5) Dezjuan Smith relating to Good Cause Eviction.
6) Iridian Lucas Garcia relating to Good Cause Eviction.
7) City Planning Board regarding off-street parking requirements for new development.
8) HPD BWC Report – August 2024
9) HPD Section 9 Reporting – August 2024
10) William John Galvin, Esquire relating to Good Cause Eviction.
11) Brahvan Ranga relating to Good Cause Eviction.
12) Peter Spear relating to Good Cause Eviction.
13) 4th Ward Resident (verified) relating to Good Cause Eviction.
14) City Resident (verified) relating to Good Cause Eviction.
15) Alexandre Petraglia relating to Good Cause Eviction.
16) Brahvan Ranga relating to Good Cause Eviction.
17) Resident of the 1st Ward (Verified) relating to Good Cause Eviction.
18) Resident of the 4th Ward and Defender of 12534 (Verified) relating to Good Cause Eviction.
19) OD relating to Good Cause Eviction.
20) Germantown Resident/Potential City Resident relating to Good Cause Eviction.
21) Resident of 3rd Ward relating to Good Cause Eviction.
22) Resident of the City of Hudson relating to Good Cause Eviction.
23) Concerned Resident of the Fourth Ward relating to Good Cause Eviction.
24) Resident and Property Owner of the First Ward relating to Good Cause Eviction.
25) Resident of the 1st Ward relating to Good Cause Eviction.
26) Friendly Neighborhood Immigrants us relating to Good Cause Eviction.
27) Friendly Neighborhood Immigrant us relating to Ethics.
28) Friendly Neighborhood Immigrant us relating to Ethics.
29) Diana G (2nd Ward) relating to Parking Meters/Kiosks.

Carried.

Bills.

On motion of **Councilmember Morris,** seconded by **Councilmember Sarowar,** the following bills were audited and ordered paid by the following vote:

Mid Hudson Cablevision	85.00	Redlyne Performance Inc.	2,922.86
Staples	74.49	T2 Systems Inc.	117.50
RingCentral Inc.	99.24	Labarge Engineering	5,238.81
Mid Hudson Cablevision	52.50	Amazon Capital Services	42.96
US Bank Equipment Finance	132.84	James M. Delaney	600.00
RingCentral Inc.	434.10	WB Mason Co Inc	153.96
Amazon Capital Services	64.88	Heather Campbell	41.45
US Bank Equipment Finance	262.13	Hinman Straub PC	3,098.09
GovOS	916.67	Verizon	49.14
JV Computers	200.00	Eastern Managed Print Network	40.60
Gary Craig's Service	21.00	Valley Energy	30.36
Chatham Auto Parts	65.58	JV Computers	4,332.00
JV Computers	180.55	Gall's LLC	76.98
Hudson Register Star	246.92	RodenhausenChale&Polidoro LLP	4,046.50

Event Awards-2024

Hudson Sloop Club c/o Sam Merrett	2,500.00

Comprehensive Plan

Public Works Partners	7,767.38

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.

Nays: None.

Resolutions.

President DePietro stated Wendy Andringa of Assemblage Landscape Architecture would provide an updated presentation regarding the Community Waterfront Resiliency Design and Permitting Project for the Henry Hudson Riverfront Park.

Ms. Andringa provided an update of the project which included the DEC-Funded Climate-Adaptive Design Timeline; Rough Order of Magnitude Cost; State Funding Sources for Construction; Federal Funding Opportunities; 16-Month Schedule (Phase 3) to complete design, permitting and documentation for construction funding and bidding; Team Roles and Services and Community Expressions of Support.

Councilmember Daskaloudi questioned the extra five thousand dollars for reimbursable expenses.

Ms. Andringa said "the five is an estimated amount, it will actually only be for the cost of the permits."

Councilmember Morris said "back in May we voted to approve this and suppose to have the Mayor to enter into an agreement with you, at that time it was for seventy-five thousand, so at that time the permit piece didn't get included in your estimate of what we needed to match."

Ms. Andringa said "that's correct" and she said "there's some costs, some permitting costs that are difficult to know before we get started."

Jared Pristach of LaBella Associates said "the permitting costs you know, we're certainly going to be working through the City of Hudson but also a lot of the permitting work goes through both the U.S. Army Corps and New York State DEC since we're going to be working in the vicinity of the Hudson River so once we know exactly what all of our impacts are, we're going to submit our permits to the Army Corps and DEC" and he said "DEC has some changing wetlands laws coming out as well". He said "DEC does not give you an estimate of what permit fees are so what we did was, we estimated sort of a worst case scenario, we don't expect that permit fees are going to be five grand, we expect that it'll be significantly less but you know in talking with our permitting team that's what they had relayed to me".

Councilmember Daskaloudi asked "other than the permit fees, will this budget go up"?

Ms. Andringa said "our goal is to make sure that we you know, design the project that doesn't incur additional work and doesn't incur extra investigations or anything like that."

Mr. Pristach said "the costs that we put together you know, as far as environmental site investigations go we have our phase one which is a desk top review of the site; our phase two which we assume is going to be necessary because there is some contamination from nearby manufacturer, former manufacturer gas plant and we tried our best to combine the costs as well so doing a geotechnical investigation at the same time as the phase two where we're actually advance boring into the ground and take samples and then we're looking ahead as well, we want to know exactly what are costs are going to be in construction so we have some costs built in so we can sample any sediment that might be removed or any soil that's going to be removed, we already generally know where those areas are going to be so we're going to be taking samples of those as part of our field investigations so that way if we know what, how, of the level of contamination in the soil is present and where we'll need to dispose of it off site if that needs to occur so we're kind of planning for a few different contingencies in the design phase".

Councilmember Daskaloudi asked "what other municipalities have you done" and she asked "did you design Kingston"?

Ms. Andringa said "we are working in Kingston now but nothing is completed."

Councilmember Merante asked "part of the permitting process that involves flood plain permit since it's in a flood area"?

Ms. Andringa said "yes."

Councilmember Merante questioned if there had plans to integrate the project with the state's improvement project."

Councilmember Morris stated the two (2) projects were independent of each other.

Ms. Andringa asked "the state boat launch"?

Councilmember Merante said "yes."

Ms. Andringa said "they are completely different projects."

Councilmember Merante questioned if there would be connections between the two (2) sites.

Ms. Andringa said "not at this point" and she said "we're starting in the south and hopefully moving north."

President DePietro said "it is private property between the two."

Councilmember Volo asked "will it mitigate flooding of the gazebo area"?

Ms. Andringa said "no, not in this but we see that as a very, very fundable project that should work for you know, in concert with commercial dock improvements as well and there's a harden edge there so it's a little bit of a different animal in that there's a steel bulkhead on the south side of it so that's a different sort of thing".

Councilmember Rony said "during the initial planning phases and the community input sessions, if I remember correctly, the plans that are shown included the area where the gazebo is along with the parking lot that's on the south" and he asked "what drove the decision to not include that, was that from the state's recommendation or funding sources"?

Ms. Andringa said "Water Street in our plan was moved back towards the Amtrak corridor and at the time we were doing this grant with this, that was not desired to move the road" and she said "we always wanted to leave that upper area which is used as an informal parking deck right now, we wanted to maintain that".

Councilmember Purnhagen said "you mentioned soil testing, site testing, let's take worst case scenario you find something there, it needs to be moved off site, how is that going to impact the project and the costs associated."

Mr. Pristach said "if we encounter something that worse case does need to be moved off site, that's not going to affect schedule, costs, timeline, anything as part of this phase of the project" and he said "what that would impact would be construction but we can plan for it so the idea here is that we'll be able to understand what those costs would be and we would include that as part of you know, any construction phase work that would be done". He said "those are all things that DEC is pretty readily, have to fund so as long as we understand what's there, where it

needs to go, what kind of quantities we're dealing with and that's how it would be handled so that would end up in the engineers estimate for the construction."

Councilmember Morris said "this two hundred thousand plus the seventy-five is to get to the point where you have a project planned that's shovel ready which would include directing issues around you know, identifying problems that need to be resolved etcetera and so then the grant that we will go after to actually implement would have to include soil mitigation, whatever is part of the project that will go forward".

Ms. Andringa said "exactly."

Councilmember Purnhagen said "I love the idea but we're right next to Colarusso" and he asked "what is the impact of that on what we're looking to do"?

Ms. Andringa said "I would say as long as we stay on the city's side of the fence and we're, there's no issue" and she said "he actually participated in our community engagement meetings and was very pleasurable as a neighbor so I don't really see this, these improvements as being impacted."

Councilmember Purnhagen asked "so their normal operation would not have, over a course of time, negative impact on what we're looking to do on our side of the fence"?

Ms. Andringa said "no, in fact we're trying to restore a bridge that's, would create an alternative access point so people wouldn't have to walk along the service road, his service road, to get to the south end so that is huge."

Councilmember Volo questioned if the grants were matching and he asked "would the city be required to put any other money up front"?

Ms. Andringa said "they're all different and I'm not an expert on every single grant."

President DePietro said "numerous grants are going to be, instead of actually putting in money, put out in-kind work."

Councilmember Daskaloudi said "going through the time period, by the end of twenty-five we're going to finish your in designs and then you're going to give them to the grant writers, right and then we're going to start writing grants" and she said "hopefully we'll get the money by the end of twenty-six and then we can start twenty-seven". She asked "the three million, is it for now or for the twenty-seven?"

Ms. Andringa said "it's sort of a preliminary estimate right, that would be for construction but it's for later" and she said "things do escalate and we also, there's some things we don't know about the site like, you know, what if we have to you know, remove some fill".

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

RESOLUTION NO. 1 September 17, 2024

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ASSEMBLAGE LANDSCAPE ARCHITECTURE DPC

WHEREAS, New England Interstate Water Pollution Control Commission (NEIWPCC), NYS Department of Environmental Conservation (NYSDEC), and the Hudson River Estuary Program (HREP) has announced a Community Waterfront Resiliency Design and Permitting program which would allow grant funding up to $200,000, to design a shoreline resiliency project in partnership with a Hudson River riverfront municipality; and

WHEREAS, Assemblage Landscape Architecture DPC ("Assemblage Landscape") has prepared a proposal to develop and advance "shovel ready" shoreline design documents for bidding for city-owned properties along the Hudson River waterfront; and

WHEREAS, in 2022 the City of Hudson, in collaboration with Hudson Valley Collaborative engaged in community outreach and adopted a Hudson Climate Adaptive Design Phase II Final Preliminary Design Report ("CaD FPDR") for the City of Hudson Riverfront Park; and

WHEREAS, Assemblage Landscape proposes to work with stakeholders to advance the City of Hudson's Climate Adaptive Design Phase II plan to the next stage of implementation to include site investigations, sampling, and DEC/USACE permitting, along with preparation of design and engineering construction documents and specifications and bid documents; and

WHEREAS, the proposal work by Assemblage Landscape will result in a total fee of $275,000 of which $200,000 in grant funds has been awarded to Assemblage Landscape funding under the Community Waterfront Resiliency Design and Permitting Program; and

WHEREAS, Assemblage Landscape has been awarded grant funding under the Community Waterfront Resiliency Design and Permitting Program in the amount of $200,000;

WHEREAS, the City desires to enter into an agreement with Assemblage Landscape to perform the desired improvements as set forth in the Agreement which is attached hereto and incorporated herein for the amount of Seventy-Five Thousand Dollars and 00/100 ($75,000.00) plus reimbursable expenses up to Five Thousand Dollars and 00/100 ($5,000.00); and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute the attached Agreement with Assemblage Landscape Architecture, D.P.C. in connection with the aforementioned waterfront resiliency project at Henry Hudson Riverfront Park for a total maximum dollar amount of Eight Thousand Dollas and 00/100 ($80,000).

(Agreement on file in the City Clerk's Office.)

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 2 September 17, 2024

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:

October 1, 2024 through September 30, 2026	**Work**
Robin Ruscillo 1774 Rt 9 Apt B, Germantown, NY 12526	25 Railroad Ave
Kevin Keyser 5976 State Rt 9H, Hudson, NY 12534	701A Union Street
Shawntelle Murphy 23 Main St #5-POBx 54, Philmont, NY 12565	560 Warren Street
Lauren Mabb 243 Fairview Ave, Hudson, NY 12534	560 Warren Street
Michelle McDonald 57 Milo Street, Hudson, NY 12534	560 Warren Street
Melinda Peck 42 N. Park Place, Valatie, NY 12184	610 State Street
Catherine Diehl 28 Hidden Meadows, Germantown, NY 12526	325 Columbia Street

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 3 September 17, 2024

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE HUDSON CITY SCHOOL DISTRICT FOR REIMBURSEMENT RELATED TO SERVICES PROVIDED BY THE HUDSON POLICE DEPARTMENT'S SCHOOL RESOURCE OFFICER TO THE HUDSON CITY SCHOOL DISTRICT

WHEREAS, the Hudson Police Department provides a School Resource Officer to the Hudson City School District; and

WHEREAS, the Hudson City School District has agreed to provide reimbursement to the Police Department for the services provided by the School Resource Officer pursuant to the Contract for the 2024-2025 school year attached hereto as Exhibit "A",

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Hudson is hereby authorized to execute the contract with the Hudson City School District providing for reimbursement by the School District for those services provided by the Hudson Police Department's School Resource Officer to the School District.

INTERMUNICIPAL AGREEMENT

This agreement is made as the _____day of September, 2024, by and between the Hudson City School District, a school district of the State of New York, with offices at 215 Harry Howard Avenue, Hudson, New York 12534 (hereinafter the "School District") and the Hudson Police Department (hereinafter the "HPD"), a municipal corporation of the State of New York in and for the City of Hudson, having an its office and principal place of business at 701A Union Street, Hudson, New York 12534.

WITNESSETH:

WHEREAS, municipal corporations are authorized, pursuant to both Article 9, §1 of the State Constitution and Article 5-G of the General Municipal Law to enter into intergovernmental agreements; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into agreements with each other in order to provide cooperatively, jointly, or by contract any facility, service, activity, or undertaking which each participating municipal corporation has the power to provide separately; and

WHEREAS, the respective governing boards of the Hudson City School District, the HPD, and the City of Hudson have determined that it is in their mutual interests to enter into this agreement for the following purposes: for the placement of one (1) School Resource Officer (SRO) in the School District and other services as may be agreed to between the parties, in writing;

NOW, THEREFORE, in furtherance of their mutual interests and in consideration of the mutual covenants and agreements herein contained, and compliance with the terms and conditions specified herein, the School District and the HPD hereby agree to the following:

1. The HPD agrees to provide the School District with one (1) Officer to serve as School Resource Officer ("SRO") in the School District for the 2024-2025 school year to maintain a safe campus environment that is conducive to learning, to create a relationship based upon cooperation and mutual support between law enforcement and school officials, to improve relationships between law enforcement, school, community and youth of the school, to serve as consultants to school staff, parents and youth on safety matters and other matters which will provide a better environment for the students, teachers and other staff to pursue their respective tasks, and to serve as a role model to students.

2. The SRO shall be an employee of, and shall be subject to the administration, supervision and control of the HPD at all times and shall be subject to the School District's policies and procedures when performing functions at the School District's schools, unless otherwise provided in this Agreement.

3. The Officer assigned as SRO will be selected by the HPD based upon the HPD's judgment and discretion, taking into consideration, among other criteria, the Officer's training, qualifications, experience, interest in the position and the Officer HPD's ability to effectuate the goals and objectives set forth herein. The HPD will take into consideration, but shall not be bound to; any requests of the School District to have a specific Officer serve as the SRO.

4. The School District shall evaluate the SRO program and the performance of the SRO. Such evaluation by the School District shall be performed in order to evaluate the performance of the SRO in accordance with the HPD's rules and regulations and also to ascertain what, if anything, can be done to improve the SRO program.

5. The School District shall have the right to request the removal of any SRO where there is a demonstrated inability to effectuate the goals and objectives of this Agreement, whereupon the HPD shall conduct an investigation pursuant to the School District's request for removal. Notice of dissatisfaction must be communicated in writing by Superintendent of Schools to the HPD. A request for replacement shall be honored unless the allegations are found to be insubstantial and lack substance in fact.

6. It is understood and agreed that the HPD, in its sole discretion, shall have the authority to discharge and discipline an Officer assigned as an SRO as provided under the terms of any applicable collective bargaining agreement and/or by law. Any issues or reports relating to the conduct of the SRO by the School District shall be directed to the HPD.

7. It is understood and agreed that, should an SRO become unable to perform his or her duties as a result of illness or injury that causes the Officer to be absent, the HPD shall assign another Officer to fill the SRO position if one is available. This request shall not be unreasonably refused.

8. It is understood and agreed that the SROs shall have the following qualifications:

    a. The SRO shall possess sufficient knowledge of applicable Federal, State and County laws and County local laws, as well as the School Board's policies and regulations;
    b. The SRO shall be capable of assisting in providing a safe and secure environment conducive to learning; and
    c. The SRO shall possess good communication skills in order to function effectively within the school environment.

9. The SRO's workday shall be for an eight (8) hour period.

10. The HPD agrees to provide and pay the SRO's salary and employment benefits in accordance with City personnel policies or the applicable collective bargaining agreement, if one exists. The HPD will bill the School District in eleven (10) monthly installments of $5,000 for the cost of the one (1) SRO, at the total rate of $50,000 per

annum, with the School District paying such costs after audit by the School District's Claims Auditor and within 45 days of receipt of the bill from the HPD.

11. It is understood and agreed that the School District shall be responsible for any overtime pay earned by an Officer serving as an SRO where the School District desires the SRO to remain on duty beyond the eight (8) hour school day, unless the HPD has consented to the presence of the SRO at a school function at no additional cost. The School District shall pay the SRO pursuant to the rates set forth in the assigned SRO's contract.

12. The HPD's Office shall provide the appropriate in-service training for the SRO, to enable the SRO to function efficiently. The School District shall also provide training in school policies, regulations and procedures, or additional training in other matters relating to students, their privacy and their safety.

13. Each party shall maintain any required insurance coverage during the life of this Agreement and the failure to do so shall make this Agreement voidable by the other party.

14. The School District shall defend, indemnify, and hold the HPD harmless from all losses, claims, demands and causes of action for injury or death to persons or damage to property caused by the negligent acts of any employees, agents, or servants of the School District arising out of the performance of this Agreement.

15. The City shall defend, indemnify, and hold the School District harmless from all losses, claims, demands and causes of action for injury or death to persons or damage to property caused by the negligent acts of the School Resource Officer or substitutes arising out of the performance of this Agreement.

16. All Officer performing services under this Agreement shall be deemed employees of the County for purposes of the Workers' Compensation Law and the School District shall not be responsible for the payment of any benefits thereunder. The School District shall provide to the HPD proof that they hold valid Workers' Compensation Insurance.

17. Neither party may assign this Agreement.

18. It is expressly understood and agreed that the School District and the HPD shall not be responsible for the payment of any debts or obligations incurred by the other party in connection with the services rendered under this Agreement other than those set forth herein.

19. This Agreement shall remain in effect for the period of **September 2, 2024** through **June 30, 2025,** and may be renewed only upon mutual agreement of the parties.

20. Either party may terminate this Agreement for any reason, or no reason at all, upon at least 30 days written notice to the other party. Any notice shall be sent by certified mail, return receipt requested, or by personal delivery or overnight mail.

21. This Agreement may only be modified or amended by an instrument in writing, duly executed and acknowledged by the authorized representative of each party, after approval by the governing body of each party.

22. This Agreement shall be construed and enforced in accordance with the laws of the State of New York and venue for any action shall be in the Columbia County Supreme or County Court.

23. The invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date(s) written below.

Dated: _____ By: _____
Dr. Juliette Pennyman, Superintendent
Hudson City School District

Dated: _____ By: _____
Chief Mishanda Franklin, HPD
Hudson Police Department

Dated: _____ By: _____
Kamal Johnson, Mayor
City of Hudson

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

President DePietro stated Proposed Resolution No. 4 would authorize approval of a Memorandum of Agreement with Communications Workers of America, AFL-CIO, Local 1120.

On motion of **Councilmember Sarowar,** seconded by **Councilmember Morris,** the councilmembers went into executive session to discuss "personnel issues." Carried.

Following executive session, all councilmembers were present and **President DePietro** said "nothing was decided during the executive session, we were just advised by our attorney."

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

RESOLUTION NO. 4 September 17, 2024

RESOLUTION AUTHORIZING APPROVAL OF A MEMORANDUM OF AGREEMENT WITH COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO, LOCAL 1120

WHEREAS, the City of Hudson entered into a Collective Bargaining Agreement with Communications Workers of America, AFL-CIO, Local 1120 (the "Union") with a term of May17, 2022 through December 31, 2024; and

WHEREAS, the City of Hudson has negotiated a Memorandum of Agreement (MOA), which is annexed hereto to this Resolution, with the Union to modify the terms of previous Collective Bargaining Agreement; and

WHEREAS, among other provisions, the MOA provides for a three (3) year contract term of January 1, 2025, through December 31, 2027; and

NOW THEREFORE, LET IT BE RESOLVED, that the City of Hudson Common Council hereby adopts and ratifies the MOA, which is annexed hereto to this Resolution, and hereby authorizes the Mayor of the City of Hudson to execute the Collective Bargaining Agreement between the City of Hudson and the Union that incorporates the terms of the MOA and to take all necessary steps to implement the terms of same.

MEMORANDUM OF AGREEMENT ("MOA")

By and Between

City of Hudson

and

Communications Workers of America, AFL-CIO, Local 1120

WHEREAS, the City of Hudson (the "City") and Communications Workers of America, AFL-CIO, Local 1120 (the "Union") are parties to a Collective Bargaining Agreement for the term May 17, 2022 through December 31, 2024 ("CBA"). Subject to ratification by the Union and approval by the City, the parties hereby agree to modify the CBA effective January 1, 2025, unless indicated otherwise, as follows:

1. **The term of this Agreement shall be January 1, 2025 through December 31, 2027.**

2. **Article XV: Workday and Workweek, shall be amended by adding the following language:**

   Upon approval from the Director or their designee, full-time employees may adjust their schedule to take a one (1) hour lunch, provided the employee still works 7.5-hours on such day. The request to adjust the lunch schedule must be made prior to the start of each quarter of the year and, once approved, the schedule must remain in effect for the entirety of the quarter. Full-time employees shall not be entitled to shift their lunch schedule to provide for an hour lunch during the months of July and August.

3. **Article XVII: Holidays, shall be amended with the addition of the following:**

   The Day After Thanksgiving shall be added as a paid holiday for Full-time employees.

   Employee's Birthday shall be added as a floating holiday for Full-time employees.

4. **Article XX: Longevity, shall be amended as follows:**

   The longevity payments shall be increased as follows:

5-9 years of service	$2,000
10-14 years of service	$2,500
15-19 years of service	$3,000
20-24 years of service	$3,500
25+ years of service	$4,000

5. **A new section in Article XXIV: Vacations, shall be added as follows:**

   Section 5. Sell Back/Conversion of Vacation Time.

   An employee may on an annual basis: (i) sell back up to 37.5 hours of vacation time at a rate of 100% their present wage; (ii) transfer up to 37.5 hours of vacation time to the employee's sick leave accumulation; or (iii) a combination of sell back and transfer of vacation time to sick leave as set forth above, not to exceed 37.5 hours in total. Offers will be due by November 1st and, depending on the employee's option, will either be transferred or payable on December 1st that same year.

6. **Article XXI: Wages and Salaries, shall be amended as follows:**

The Salary Schedule, attached as Appendix A to CBA, shall be replaced with the following schedule:

Title	Current	1/1/2025 (+$1.00/hr)	1/1/2026 (2.5%)	1/1/2027 (2.75%)
Rec Attendant Part-time	$16.07	$17.07	$17.50	$17.98
Rec Attendant Sr. Part-time (3 years)	$17.03	$18.03	$18.48	$18.99
Rec Attendant Sr. Part-time (10 years)	$18.21	$19.21	$19.69	$20.23
Rec Attendant Full-time	$19.72	$20.72	$21.24	$21.82
Rec Attendant Part-time Grade II*	--	$22.00	$22.55	$23.17
Rec Attendant Full-time (5 years)	$21.55	$22.55	$23.11	$23.75
Cleaner	$19.17	$20.17	$20.67	$21.24
Secretary**	$20.31	$23.00	$23.58	$24.22
Rec Program Coordinator	$22.96	$23.96	$24.56	$25.23

*Effective January 1, 2025, the title of Rec Attendant Part-time Grade II shall be added to the salary schedule, upon approval by Civil Service, with a starting hourly rate of $22.00 per hour.

**Effective January 1, 2025, the hourly rate for the title of Secretary shall be reset to $23.00 per hour and the title of Food & Nutrition Coordinator will be eliminated.

7. **Article XXIV: Vacations, shall be amended by adding the following new section:**

   Section 6: Summer Camp Attendance Incentive.

   Effective January 1, 2025, all full-time and regular part-time summer camp staff shall be eligible for a summer camp attendance incentive ("Summer Camp Attendance Incentive").

During the six (6) week summer camp that is held annually ("Summer Camp"), full-time and regular part-time summer camp staff shall be eligible for the Summer Camp Attendance Incentive as follows:

Days Absent During Summer Camp	Incentive Amount Full-time Summer Camp Staff	Incentive Amount Regular Part-time Summer Camp Staff
Absent 0-1 days	$500.00	$250.00
Absent 2-3 days	$300.00	$150.00
Absent 4 days	$200.00	$100.00
Absent 5+ days	$0	$0

For purposes of the Summer Camp Attendance Incentive, three (3) occasions of an employee being tardy or of leaving early during Summer Camp shall equal one (1) absence. "Tardy" shall mean when an employee arrives more than fifteen (15) minutes after the start of an employee's shift. "Leaving early" shall mean when an employee leaves more than fifteen (15) minutes before the conclusion of the employee's shift.

8. **Article XXVI: Personal Leave, Section 1 shall be amended as follows:**

Each employee shall receive six (6) days personal leave per year. Any unused personal leave shall be added to the employee's sick leave accumulation.

"IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISIONS OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION BY THE CITY OF HUDSON COMMON COUNCIL TO PERMIT ITS IMPLEMENTATION BY PROVIDING THE ADDITIONAL FUNDS THEREFORE, SHALL NOT BECOME EFFECTIVE UNTIL SUCH APPROVAL HAS BEEN GIVEN."

IN WITNESS WHEREOF, this Memorandum of Agreement is hereby executed as of the date below.

CITY OF HUDSON

By: _____
Kamal Johnson, Mayor

CWA LOCAL 1120

By: _____
Robert Pinto, Business Agent

By: _____
Thomas DePietro
Common Council President

By: _____
Elizabeth Yorck

By: _____
Calvin Lewis

By: _____
Maija Reed

By: _____
Besham E. Burgess, Sr.

By: _____
Jenna Castillo

By: _____
Tyrone Hedgepeth

4879-5238-4963, v. 2

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.

Nays: None.

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

RESOLUTION NO. 5 September 17, 2024

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURCHASE OF A LED RADAR SPEED DISPLAY SIGN FOR WORTH AVENUE

WHEREAS, LED Radar Speed Display Signs are an effective tool for reducing speeding and improving road safety; and

WHEREAS, the City of Hudson determined that Worth Avenue would benefit from the installation of a LED Radar Speed Display Sign; and

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer is authorized and directed to make the following transfer to provide sufficient funds for the purchase of a LED Radar Speed Display to be installed on Worth Avenue:

$4,155 FROM A.9040.0800 Workers' Compensation

` TO A.5110.0200 Street Equipment

APPROVED BY BOARD OF ESTIMATE AND APPORTIONMENT

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 6 September 17, 2024

A RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR NYSLRS REQUIRED REPORTING SERVICES

WHEREAS, the New York State and Local Retirement System (NYSLRS) has moved to a new Enhanced Reporting System which the city is required to use for all enrollments, modifications, and corrections of benefit and service credit information for its employees and retirees, and

WHEREAS, NYSLRS is decommissioning its legacy reporting system in 2024, and

WHEREAS, the new Enhanced Reporting System requires the upload of a regular monthly report file, and

WHEREAS, a custom report will need to be developed by the city's payroll provider in order to meet the mandatory reporting criteria, and

WHEREAS, this was not an anticipated expense in the 2024 budget, and

WHEREAS, there are funds available elsewhere in the general fund 2024 budget,

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer is authorized to make the following 2024 budget transfer:

1,500	From:	A.9040.0800	Workers Compensation
	To:	A.1325.0460	Software Licenses and Support

Approved by Board of Estimate & Apportionment.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

President DePietro stated Proposed Resolution No. 7 would authorize the creation of an I&I Bank to acquire a sewer extension permit from the NYS Department of Environmental Conservation. He said "you might recall that I was asking Rob during a number of our meetings about the problem we were having with plans for, applications before the Planning Board being approved because there was this issue with sewer extensions throughout the city" and he said "it's been resolved and the way it works is that this document sets up a bank and this is how future projects will have to contribute to this bank in order to help solve these issues".

Councilmember Daskaloudi said “we can also go back to the projects that have already been done.”

President DePietro said “basically this unclogged a lot of Planning Board backlog because they really, they felt that they couldn’t move ahead until they had this resolved, it has to do with the SPEDES permit and it’s basically you know, projects are going to have to demonstrate that they just didn’t unnecessarily burden the sewer system and there’s a way that they have to contribute”.

Councilmember Daskaloudi asked “who’s going to keep track of all of this”?

President DePietro stated Superintendent of Public Works, Rob Perry and he said “the city, I believe, the Mayor and the Attorneys and Rob worked with DEC on setting up this so-called bank.”

Kamal Johnson, Mayor said “it creates an escrow for every project to have to put into money into the pot so that when there is a connection to the sewage system, if there needs to be extra work done to prevent drainage that project will pay the cost and that’s the city’s way of managing that there is no more sewage issues when it comes to overflow” and he said “each applicant is going to be paying for whatever connection that needs to be done”.

Councilmember Morris asked “are they paying for their specific project”?

Mayor Johnson said “yes.”

Heather Campbell, City Treasurer said “if applicant requires additional connections to the existing CSO system, over a certain amount, may need to, more or less pay for that” and she said “the bank is basically when the city on its own goes out and does, the whole goal of this is to separate ultimately the sewer water from the regular water and that’s something the state’s very you know, interested that we do, when city goes out and does its own sewer water separation projects like we did on Front Street and I believe lower Columbia Street, we can take that work and factor it into credit so the credits live in a credit bank so it’s not dollar money, it’s basically here’s, here’s the equivalent of all the work we’ve done that we get credit for, when a developer comes in, if they need to pay for developmental work they can buy those credits from the city so basically it would be like revenue source, DPW would track”. She said “somebody comes in and they need x amount of dollars, they buy it from us on a one to four ratio, that reduces the amount that’s left in the bank, the bank is increased every time the city spends its own money whether it’s grant money or not you know, when the city spearheads the project for stormwater separation that gets added to the bank and then the developers can buy it” and she said “if you get to the point where there’s a developer coming in and there’s not enough credits left in the bank to offset, they can buy whatever’s left and still not enough to offset their costs, they would still have to come out of pocket for the balance of those costs whether they did that through the city or whether they did that through their own you know, contracting with a sewer development, construction company is unclear but that’s how that works”.

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

RESOLUTION NO. 7 September 17, 2024

RESOLUTION AUTHORIZING THE CREATION OF AN I & I BANK TO ACQUIRE A SEWER EXTENSION PERMIT FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the City of Hudson (City) owns and operates a wastewater treatment plant (WWTP) that is subject to regulations under State Pollution Discharge Elimination System (SPDES) Permit No. NY0022039, which serves the entire City of Hudson; and,

WHEREAS, the City was issued Order on Consent R4-20240325-116 from New York State Department of Environmental Conservation (NYSDEC) which outlines requirements for sewer extensions that meet the part 6 NYCRR Part 750-2.10 threshold within the City's combined sewer collection system; specifically, the requirement that the city assess development projects for potential impact on the existing sewer city's existing combined sewer collection system, and where required, provide a sewer extension application to NYSDEC for review and approval; and,

WHEREAS, all sewer extension approvals are subject to review and approval by the City of Hudson Department of Public Works, and NYSDEC; and,

WHEREAS, the City can and will create an Infiltration and Inflow (I&I) Credit Bank to meet the requirements of Order on Consent R4-20240325-116 and SPDES Best Management Practices (BMP) No. 9; such credits to be earned and banked base on reductions in I&I through ongoing citywide sewer separation projects, and,

WHEREAS, the City will distribute I&I credits upon receipt of sewer extension applications and receipt of full payment of the I&I credits and the City will only distribute I&I credits and when sufficient credits are available. One (1) I&I credit is required for every one (1) gallon of sanitary sewer flow to be created. One (1) I&I credit will be added to the bank for every four (4) gallons of I&I removed from the system; and,

WHEREAS, the City will keep track of the I&I credits bank and provide to both the developer or applicant and the NYSDEC a tally of estimated I&I credits to be used, record of remaining I&I credits in I&I credit bank, evidence that sufficient credits remain for the full development, and any I&I reduction efforts for that specific project; and,

NOW THEREFORE BE IT RESOLVED, the Sewer Extension I&I Bank shall be created with offset credits from previous Stormwater Separation Projects and these credits shall be a one (1) time impact fee sold to developers for $2 per gallon of new sanitary flow introduced into the system, and said fee shall be received in: G.0000.2655 – SALES OF SEWER BANK CREDITS, said I&I Bank to be administered as set forth in this resolution; and

BE IT FURTHER RESOLVED, that it will be the sole responsibility of the City of Hudson Planning Board to refer all applicants before them who will generate over 2,500 gallons per day

(gpd) of new sanitary sewer flows OR create four (4) or more new sanitary sewer connections to the DPW.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

President DePietro stated Proposed Resolution No. 8 would authorize the Mayor to enter into an agreement with TJR Excavating Contractors, Inc. to bring the intersection of 3rd Street and Cherry Alley to ADA Compliance.

Councilmember Purnhagen said "as we reported last month, we focused through our project manager, Crawford & Associates, 3rd Avenue and Cherry Alley which is the entrance to the Youth Department, it was also identified by the Department of Justice as an area of concern" and he said "Crawford & Associates put an RFP out to about five different contractors, we received responses from three of them, those being Colarusso, Luizzi and the ones who we are recommending which is TJR Excavating Contractors". He said "we received back the quotes, all of them would be considered competent, experienced and we also, one of our criteria was the availability to get the work started" and he said "Colarusso came in with six-nine thousand nine hundred; Luizzi came in at eighty-seven thousand and TJR came in at twenty-five thousand and they were looking to do it immediately". Councilmember Purnhagen said "the board feels that it was a no-brainer and we are recommending that the council move to and approve the Mayor's ability to enter into a contract and get this work done and we'll be able to get started before the end of October which was a milestone identified by DOJ."

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

RESOLUTION NO. 8 September 17, 2024

A RESOLUTION CALLING ON THE COMMON COUNCIL TO APPROVE ENTERING INTO AN AGREEMENT WITH TJR EXCAVATING CONTRACTORS, INC. TO BRING THE INTERSECTION OF 3RD STREET AND CHERRY ALLEY TO ADA COMPLIANCE

WHEREAS, the Public Works Board has approved the recommendations from, Crawford & Associates, the Project Manager for the City of Hudson's Sidewalk Initiative, to engage TJR Excavating Contractors in bringing the intersection of 3rd Street and Cherry Alley to ADA (American Disability Act) compliance; and

WHEREAS, the intersection at 3rd Street and Cherry Alley, where the Youth Department is located, has been identified as particularly troublesome by the Department Of Justice, DOJ; and

WHEREAS, the Project Manager recently sent out an RFP to address that intersection and received three responses; and

WHEREAS, TJR Excavating Contractors met the advertised criteria of competence, experience, cost, and availability;

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Hudson is hereby authorized to enter into an agreement with TJR Excavating Contractors, Inc. to bring the intersection of 3rd Street and Cherry Alley to ADA Compliance;

BE IT FURTHER RESOLVED, the cost of this project will be $25,000.00. To be drawn against Account SID.5410.0460 – Sidewalk Repairs.

APPROVED BY BOARD OF ESTIMATE AND APPORTIONMENT.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 9 September 17, 2024

RESOLUTION AUTHORIZING THE SALE OF CITY OWNED VEHICLES AND EQUIPMENT

WHERAS, the City has in its possession several vehicles and equipment that are no longer used by the Department of Public Works, Cemetery, Water, Sewer, Police or Fire Department, and,

WHEREAS, it is in the best interest of the City to have said vehicles and equipment sold at Public Auction or to the highest open market offer, and,

WHEREAS, the Department of Public Works has reviewed and compared several auction providers and determined that Auctions International, Inc. will offer the most comprehensive auction service,

NOW, THERFORE, BE IT RESOLVED, that the City of Hudson declares the following vehicles or equipment to be surplus, and

Year	Make/Description	Model/Quantity	VIN/Serial #
2005	Dodge	Durango	1D4HB48N15F579009
2008	Chevrolet	Impala	2G1WB5K381308232
1990	International	7400 Dump	1HTSBZRLXLH228374
1997	Ford	Bucket Truck	3FELF47F6VMA41161
2006	Dodge	Ram 2500	3D7KS26D16G182105
1995	International	7400 Dump	1HTSDARR7SH203006
2003	Dodge	Durango	1D4HB48N56F176250
2003	Dodge	Ram 3500	3D7MU46633G789243
1999	Jeep	Cherokee	

	Detective car		
Pick-Up truck bed	Sol-R Sign Boards	6-yard dump body	6' x 16' landscape trailer
Blacktop drag box	Steel fuel tanks	Snow blower for JD 4310	Snow blower for JD 455
	18" bucket for JD310G	Assorted LED Cobraheads	Assorted Dock Floats

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Superintendent of Public Works is hereby authorized to publish a notice of sale for said vehicles, and the Mayor is authorized to enter into the attached agreement with Auctions International, Inc, to facilitate the sale of said vehicles, and the Treasurer is hereby authorized and directed to apply the revenue from said auction to 2024 Revenue Account No. A.0000.2665 – Sale of Surplus Equipment.

APPROVED BY BOARD OF ESTIMATE AND APPORTIONMENT

ONLINE AUCTION CONTRACT - **AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION**

This Agreement made on ___ /___ / 20____, between _____, hereafter called "Seller", and Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052, hereafter called "Auctioneer":

The Auctioneer hereby agrees to use professional skills, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold "as is, where is", subject to the Seller's terms.

The Seller agrees to provide titles, keys in all other proof of ownership to customers who present a paid invoice from Auctions International, and release the purchased items once the Auctioneer has received full payment for the goods listed and described in detail on provided condition reports, and / or provided by the electronic means to the Auctioneer.

GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND ALL OTHER SURPLUS ASSETS

The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles, and agrees to write-in the purchase information on the back of any titles issued to purchasers (as required by law). The Seller furthermore agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

The auction is to be held online at www.AuctionsInternational.com, beginning and closing on mutually agreed-upon dates and times. The terms and prices of this contract shall remain in effect for two years after the agreement is executed based on the means of the Seller. Notwithstanding the foregoing, the Seller may terminate this contract at any time for convenience.

It is agreed that all listed merchandise be sold to the highest bidder, "as is, where is", with no warranty, expressed, implied or otherwise, and with the government Seller retaining the right to reject any bids that are insufficient. The Seller agrees to specify a minimum acceptable price on each rejected bid, which will be posted on the past prices page of the Auctioneer's website.

Purchasers will be required to pay a 4% buyer's premium for vehicles and equipment sold within two (2) years of the manufacture date, a 5% buyer's premium for vehicles and equipment within three (3) years of the manufacture date, or a 10% buyer's premium for any vehicles/older equipment to be added to the successful high bid prices, which will constitute the Auctioneer's compensation for these services. There is no commission charged to the Seller.

The Seller agrees to provide photographs and description of the auction merchandise to conduct the auction. In the event that the Seller cannot provide this information, the Auctioneer's staff will travel to the Seller's facilities to obtain photos and condition reports of the Sellers items for the following fee: $30 for each motorized vehicle/equipment item, and $5 for each general merchandise auction lot. Listing fees are deducted from the net sale proceeds, before final payment is made to the Seller.

The Auctioneer will mail a check to the Seller for all proceeds collected within 15 business days after the Seller approves the bids for the sale items, and all monies are collected, along with an accounting summary. In the event of a bidder's refusal or failure to pay for their invoiced items, the Auctioneer will offer the unsold merchandise to the backup bidder, and the reneging bidder will be banned from future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to the possession of the Seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller any unsold merchandise can be re-listed in the future online auction at no cost to the Seller.

INDEPENDENT STATUS. That during the existence of this agreement, the Auctioneer shall remain an individual, independent contractor, retaining its separate identity and shall in no way be considered a division, department or agent of the Seller's agency or organization.

WAIVER. No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waivingsaid breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excusefor a repetition of such or any other breach unless the waiver shall include the same.

ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter of this Agreement.

(x) _____ Seller's Authorizing Signature

_____ Printed Name and Agency Title

_____ Telephone Number

(x) _____ Seller's Agency Payment Address (Check will be made out and mailed to Seller, from Auctioneer, for payments received)

(x) _____ Seller's E-Mail Address

(x) Marc Smith Auctioneer's Signature

Marc Smith Auctioneer's Printed Name

_____ Date

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.

Nays: None.

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

RESOLUTION NO. 10 September 17, 2024

RESOLVED, that the City Treasurer be and hereby is authorized and directed to transfer funds to the following 2024 budget accounts within the Public Works Department:

DPW

$3,000	From:	1620.1 A – Buildings – Personal Services
$500	To:	1620.4 A – Buildings – Materials & Supplies
2,500	To:	1620.43 A – Buildings – City Hall
$15,000	From:	7110.1 A – Parks – Personal Services
15,000	To:	5110.2 A – Street Maintenance – Equipment
$20,000	From:	8160.1 A – Waste Collection – Personal Services
20,000	To:	5110.45 A – Street Maintenance – Maintenance of Equipment

CEMETERY

$5,000	From:	8810.4 C – Cemeteries – Materials & Supplies
5,000	To:	8810.2 C – Cemeteries – Equipment

SEWER

$40,000	From:	8130.48 G – Sewage Treatment – Utilities
40,000	To:	8130.4 G - Sewage Treatment – Materials & Supplies

APPROVED BY BOARD OF ESTIMATE AND APPORTIONMENT

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 11 September 17, 2024

SEQR RESOLUTION FOR THE LOCAL LAW G OF 2024

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hudson hereby determines that Local Law G of 2024 is a Type II action in accordance with 6 NYCRR Section 617.5(c) (26), (33) and is therefore not subject to further review under 6 NYCRR Part 617.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

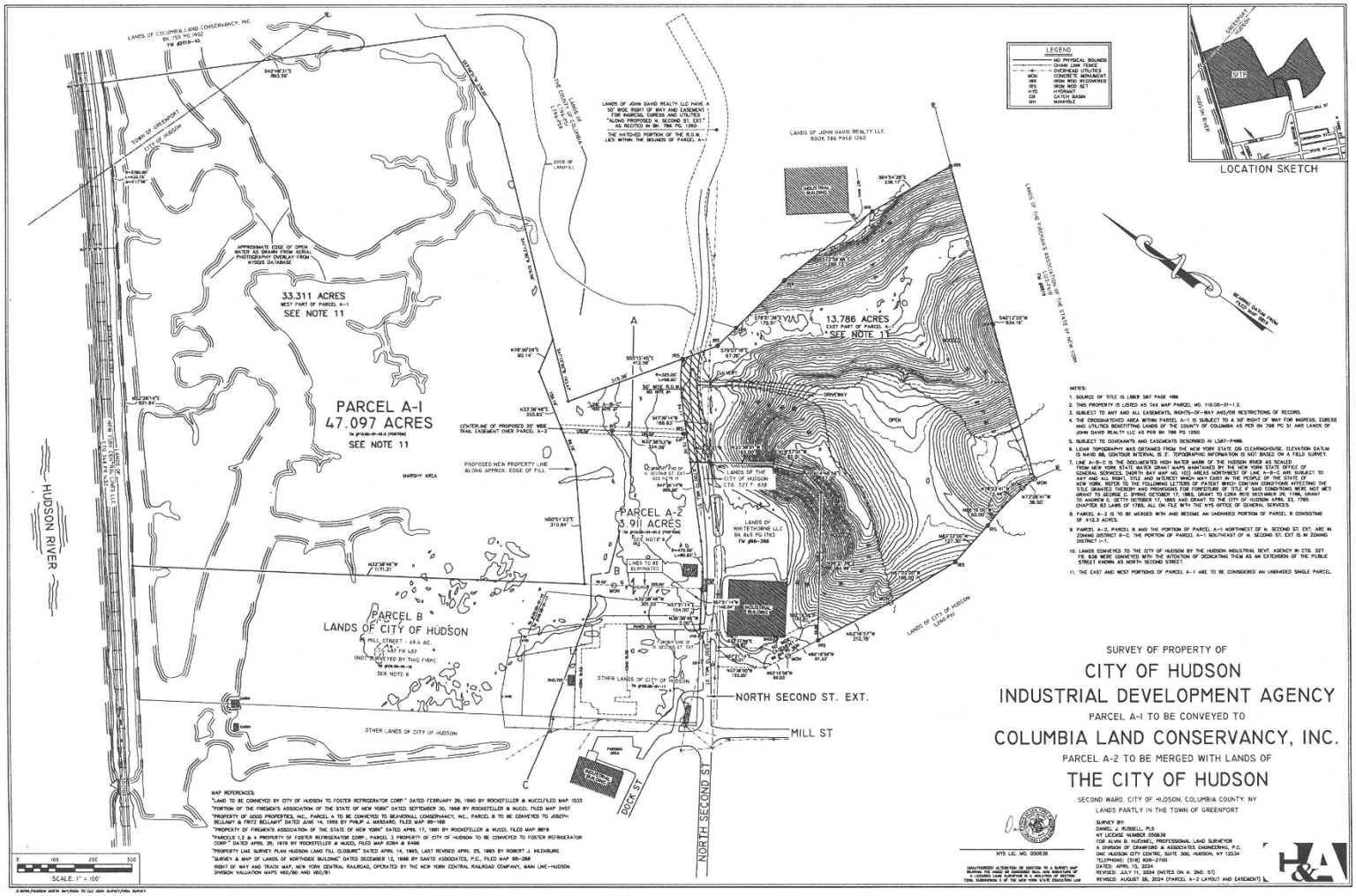
RESOLUTION NO. 12 September 17, 2024

A RESOLUTION AUTHORIZING THE CITY OF HUDSON TO ACCEPT A DEED FROM THE CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY AND TO AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS NECESSARY TO EFFECT SAME.

WHEREAS, Chapter 677 of the laws of 1975 established the Hudson Industrial Development Agency; and

WHEREAS, the City of Hudson IDA (HIDA) has approved a conveyance of Tax Parcel 110.5-1.1.2 (Parcel) to Columbia County Land Conservancy subject to a boundary line adjustment to allow for a 200' by 400' portion of the parcel (Parcel A-2) to be subdivided, conveyed to the City of Hudson, and merged with the adjacent parcel (Parcel B) to the south which is currently owned by the City of Hudson to be used for City purposes; and

NOW THEREFORE, LET IT BE RESOLVED that the Common Council of the City of Hudson accepts the conveyance of a Parcel A-2 as depicted in the attached survey map and further authorizes the Mayor to execute documents necessary to effect same.



NOTES:

1. SOURCE OF TITLE IS LIBER 587 PAGE 488.
2. THIS PROPERTY IS LISTED AS TAX MAP PARCEL NO. 110.03-01-1.2.
3. SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND/OR RESTRICTIONS OF RECORD.
4. THE CROSSHATCHED AREA WITHIN PARCEL A-1 IS SUBJECT TO A 50' RIGHT OF WAY FOR INGRESS, EGRESS AND UTILITIES BENEFITTING LANDS OF THE COUNTY OF COLUMBIA AS PER BK 788 PG 31 AND LANDS OF JOHN DAVID REALTY LLC AS PER BK 788 PG 1260.
5. SUBJECT TO COVENANTS AND EASEMENTS DESCRIBED IN LS87-P488.
6. LIDAR TOPOGRAPHY WAS OBTAINED FROM THE NEW YORK STATE GIS CLEARINGHOUSE. ELEVATION DATUM IS NAVD 88, CONTOUR INTERVAL IS 2'. TOPOGRAPHIC INFORMATION IS NOT BASED ON A FIELD SURVEY.
7. LINE A-B-C IS THE DOCUMENTED HIGH WATER MARK OF THE HUDSON RIVER AS SCALED FROM A MAP ENTITLED "PLAN OF THE HARBOR OF HUDSON" DATED 1867 BY THE U.S. COAST SURVEY OF GENERAL SURVEYS NORTH BAY MAP NO. 7022 AREAS NORTHWEST OF LINE A-B-C ARE SUBJECT TO ANY AND ALL RIGHT, TITLE AND INTEREST WHICH MAY EXIST IN THE PEOPLE OF THE STATE OF NEW YORK. REFER TO THE FOLLOWING LETTERS OF PATENT WHICH CONTAIN CONDITIONS AFFECTING THE TITLE GRANTED THEREBY AND PROVISIONS FOR FORFEITURE OF TITLE IF SAID CONDITIONS WERE NOT MET: GRANT TO GEORGE C. BYRNE OCTOBER 17, 1865, GRANT TO EZRA REID DECEMBER 29, 1786, GRANT TO ANDREW C. GETTY OCTOBER 17, 1865 AND GRANT TO THE CITY OF HUDSON APRIL 23, 1765 CHAPTER 83 LAWS OF 1785, ALL ON FILE WITH THE NYS OFFICE OF GENERAL SERVICES.
8. PARCEL A-2 IS TO BE MERGED WITH AND BECOME AN UNDIVIDED PORTION OF PARCEL B CONSISTING OF ±12.3 ACRES.
9. PARCEL A-2, PARCEL B AND THE PORTION OF PARCEL A-1 NORTHWEST OF N. SECOND ST. EXT. ARE IN ZONING DISTRICT R-E. THE PORTION OF PARCEL A-1 SOUTHEAST OF N. SECOND ST. EXT IS IN ZONING DISTRICT I-1.
10. LANDS CONVEYED TO THE CITY OF HUDSON BY THE HUDSON INDUSTRIAL DEVEL. AGENCY IN CTG. 527 FR. 638 WERE CONVEYED WITH THE INTENTION OF DEDICATING THEM AS AN EXTENSION OF THE PUBLIC STREET KNOWN AS NORTH SECOND STREET.
11. THE EAST AND WEST PORTIONS OF PARCEL A-1 ARE TO BE CONSIDERED AN UNDIVIDED SINGLE PARCEL.

MAP REFERENCES:

"LAND TO BE CONVEYED BY CITY OF HUDSON TO FOSTER REFRIGERATOR CORP." DATED FEBRUARY 26, 1960 BY ROCKEFELLER & NUCCI,FILED MAP 1033
"PORTION OF THE FIREMEN'S ASSOCIATION OF THE STATE OF NEW YORK" DATED SEPTEMBER 30, 1968 BY ROCKEFELLER & NUCCI, FILED MAP 3457
"PROPERTY OF GOOD PROPERTIES, INC., PARCEL A TO BE CONVEYED TO BEAVERKILL CONSERVANCY, INC., PARCEL B TO BE CONVEYED TO JOSEPH BELLAMY & FRITZ BELLAMY" DATED JUNE 14, 1993 BY PHILIP J. MASSARO, FILED MAP 99-168
"PROPERTY OF FIREMEN'S ASSOCIATION OF THE STATE OF NEW YORK" DATED APRIL 17, 1981 BY ROCKEFELLER & NUCCI, FILED MAP 8819
"PARCELS 1,2 & 4 PROPERTY OF FOSTER REFRIGERATOR CORP., PARCEL 3 PROPERTY OF CITY OF HUDSON TO BE CONVEYED TO FOSTER REFRIGERATOR CORP." DATED APRIL 26, 1978 BY ROCKEFELLER & NUCCI, FILED MAP #2364 & #468
"PROPERTY LINE SURVEY PLAN HUDSON LAND FILL CLOSURE" DATED APRIL 14, 1995, LAST REVISED APRIL 25, 1995 BY ROBERT J. HILDENBURG
"SURVEY & MAP OF LANDS OF NORTHSIDE BUILDING" DATED DECEMBER 12, 1996 BY SANTO ASSOCIATES, P.C., FILED MAP 98-288
RIGHT OF WAY AND TRACK MAP, NEW YORK CENTRAL RAILROAD, OPERATED BY THE NEW YORK CENTRAL RAILROAD COMPANY, MAIN LINE--HUDSON DIVISION VALUATION MAPS V60/80 AND V60/81

SURVEY OF PROPERTY OF

CITY OF HUDSON INDUSTRIAL DEVELOPMENT AGENCY

PARCEL A-1 TO BE CONVEYED TO

COLUMBIA LAND CONSERVANCY, INC.

PARCEL A-2 TO BE MERGED WITH LANDS OF

THE CITY OF HUDSON

SECOND WARD, CITY OF HUDSON, COLUMBIA COUNTY, NY

LANDS PARTLY IN THE TOWN OF GREENPORT

SURVEY BY:
DANIEL J. RUSSELL, PLS
NY LICENSE NUMBER 050639
FOR ALVIN B. HUEHNEL, PROFESSIONAL LAND SURVEYOR
A DIVISION OF CRAWFORD & ASSOCIATES ENGINEERING, P.C.
ONE HUDSON CITY CENTRE, SUITE 300, HUDSON, NY 12534
TELEPHONE: (518) 828-2700

DATED: APRIL 15, 2024
REVISED: JULY 11, 2024 (NOTES ON N. 2ND. ST)
REVISED: AUGUST 28, 2024 (PARCEL A-2 LAYOUT AND EASEMENT)

NYS LIC. NO. 050639

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING THE NAME OR EMBOSSED SEAL AND SIGNATURE OF A LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

H&A

S:\NON_PASSIVE\NORTH BAY\NBA TO CLC 2024 SURVEY\NBA SURVEY

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

Local Laws.

On motion of **Councilmember Morris,** seconded by **Councilmember Rony,** the following proposed local law introduced by Councilmember Morris, seconded by Councilmember Daskaloudi, was enacted by the following vote:

LOCAL LAW Introductory G of 2024

A LOCAL LAW ADDING CHAPTER 132 TO THE HUDSON CITY CODE

SECTION 1. TITLE

This Local Law shall be known as Local Law No. ____ for the year of 2024.

SECTION 2. LEGISLATIVE FINDINGS

The Common Council of the City of Hudson finds that the City of Hudson has seen an increase in requests to film and shoot photographs in the City. The current City Code does not have a mechanism in place to specifically regulate filming in the City for commercial purposes. In order to encourage such filming while accounting for public health and safety legislation is necessary to regulate the time, place, and manner in which filming may occur.

SECTION 3. LEGISLATIVE INTENT

It is the purpose and intent of the City of Hudson to encourage the motion picture and television industries, and those engaged in advertising and editorial in print, broadcast, and digital services, to utilize the scenic beauty and variety of backdrops afforded in the City of Hudson as locations for still photograph, filming and/or videotaping for commercial production. It is the purpose and intent of this chapter to provide the means by which such activities may be reasonably regulated to preserve the public health and safety and provide for the protection of property, to not unduly restrict such activities, and to maintain harmonious relations between the community and those engaged in such activities.

SECTION 4. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (chapter 36-a of the Consolidated Laws of the State of New York) and the General City Law (chapter 21 of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENT TO THE CITY CODE

The following Chapter is hereby added to the City Code of the City of

Hudson: Chapter 132. Filming

§132-1. Short Tile.

This Chapter shall be known as the "City of Hudson Filming Law."

§ 132-2 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

CHARITABLE FILMS

Commercials, motion pictures, television, or videotapes produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films or tapes.

CITY-PRODUCED GOVERNMENT ACCESS FILMS

Motion pictures or programs produced by or in association with the City of Hudson. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films or tapes.

CONCERT FILMING

The filming of a concert event for a not-for-profit entity, but shall not include activities occurring for businesses, corporations and for-profit entities that will be distributed, sold and/or broadcast for commercial purposes.

CREW

A group of people who are involved in the practical and technical business of shooting a film or commercial photography. A Crew shall include but is not limited to camera operator, stylist, lighting technician, sound technician, actor, model, director, etc.

FILM or FILMING or FILMING ACTIVITY

All activity in preparation of, and attendant to, staging, making, striking, filming, video recording, commercial motion pictures, television shows, programs, and commercials, including magazines or documentary programs.

NEWS MEDIA

Photographing, filming, or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers, or camera operators.

STUDENT FILMS

Motion pictures, television programs or commercials produced to satisfy a course or curriculum requirement at an educational institution. The student filmmaker must supply proof that they are currently enrolled.

STUDIO

A fixed place of business where filming activities are regularly conducted upon the premises.

§ 132-3 **Permit required; exemptions.**

A. Film permit required. No person shall, for commercial purposes, use any kind of public property, facility or residence herein or portion thereof owned and/or controlled by the City of Hudson to cause, direct or conduct filming activities as defined without first applying for and obtaining a film permit from the City of Hudson.
B. Still Photography permit required. No person shall, for commercial purposes, use any kind of public property, facility or residence herein or portion thereof owned and/or controlled by the City of Hudson to cause, direct or conduct still photography activities where a crew, as defined in this Chapter, of three or more is engaged without first applying for and obtaining a film permit from the City of Hudson.

C. Exemptions.

1) The following activities shall not require an application or film permit under the provisions of this chapter:

    a. News media: reporters, photographers, or camera operators in the employ of a newspaper, news service, or similar entity engaged in on-the-spot print media, publishing or broadcasting of news events concerning those persons, scenes or occurrences which are in the news and of general public interest.
    b. Family or personal use video: the filming or videotaping of motion pictures solely for private-family use.
    c. City-produced government access films.

2) A film/still photography permit application as required by this chapter shall be completed and submitted without a fee for the following activities:

    a. Charitable films: projects that qualify under Section 501(c)(3) of the Internal Revenue Code.
    b. Student films
    c. Concert film by a not-for-profit entity.
    d. Any entity that is producing a film or films, or still photographs, for purposes of promoting Hudson, NY as a destination for visitorship, or business expansion, or economic development

e. Any business or entity that is based primarily in Hudson, NY

§ 132-4 **Application requirements.**

The application for such film/still permit shall be made upon forms prescribed therefor by the City and require, at minimum, the following information:

A. The Name, Type, and Purpose of the production
B. The name, address, telephone number and e-mail address of the applicant.
C. The name, address and telephone number of the production company. Primary contact for the production, such as Producer, Production Manager, or Location Manager.
D. If different from B, The name, address, telephone number and e-mail address of the person(s) in charge of the Production and who will be on location during the duration of the production.
E. The street address(es) of the location(s) at which filming will take place.
F. The dates and hours during which filming activity will occur.
G. An anticipated number of persons, including cast and crew, to be involved.
H. List of equipment and generator, if any.
I. Number and type of vehicles used in production with Identification of historic or period vehicles or equipment that will be used in the production.
J. List of any animals, pyrotechnics, hazardous chemicals, demolition of buildings or structures and/or use of residential vehicles proposed to be used and a safety plan to be used by the applicant in the event such items are used during the production.
K. Plan to minimize disruption of traffic and parking.
L. For any aerial or drone photography or videography, the flight plan, name and contact information for RPIC, anticipated UAS(s) in use, and a copy of any pilot certifications, and proof of insurance.
M. Requests for City services and equipment, including, but not limited to, signs, barricades
N. Insurance:

1) Certificate of liability insurance covering the event to be held and naming the City of Hudson as an additional insured with limits of liability of at least $1,000,000 for each occurrence and $2,000,000 aggregate for bodily injury and $50,000 for each occurrence and $100,000 aggregate for property damage. All such policies must be written in the broadest form available by a company authorized to do business in New York State and of recognized financial standing which has been fully informed about the proposed event.
2) Workers' compensation insurance: An applicant shall conform to all applicable federal and state requirements for workers' compensation insurance for all persons operating under a film permit.
3) Hold-harmless agreement: Applicants shall execute a hold-harmless agreement as provided by the City prior to the issuance of a film permit under this chapter wherein the applicant shall defend, hold harmless and indemnify the City of Hudson against any and all claims, proceedings or action brought in connection with or as a result of the

filming and/or recording activities.

§ 132-5 **Filing of application; issuance of permit.**

A. The application for a film permit shall be filed with the office of the City Clerk in completed form together with all applicable fees no less than three (3) business days prior to commencement of such filming activities.
B. The issuing authority shall be the Mayor or their designee. The Mayor may deny a permit in their sole and absolute discretion.
C. Any change in the applicant's/permittee's planned activities as set forth in the film permit applications shall be submitted in writing to the Mayor or their designee at least one (1) business day in advance of the change and approved or denied in the same manner as the original film permit application.
D. Film permit applicants for activity involving 50 or more persons in a public area are not required to additionally submit a Mass Gathering Permit as described in §199.

§ 132-6 **Fees.**

The fees for each filming/still permit shall be as set forth by resolution of the Common Council and shall include a nonrefundable application fee and a fee for each permit issued, all of which shall be paid to the City Clerk. No film permit shall be issued to an applicant who owes the City money on a prior permit of any kind.

§ 132-7 **Additional restrictions.**

A. The applicant/permittee shall, in the credits of the motion picture or television program, acknowledge the production was filmed in the City of Hudson.
B. All filming activities, including setup and takedown activities, shall take place in the hours specified in the film permit.
C. Filming and/or recording activities as permitted under a film permit shall comply with all the requirements and standards of Chapter **210**, Noise, of this Code of Ordinances.
D. The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the cleanup of trash and debris. The area used shall be cleaned of trash and debris upon completion of filming at the scene and restored to the original condition before leaving the site.
E. Filming and/or recording under a film permit shall comply with all requirements of the New York State Vehicle and Traffic Law and Chapter **305**, Vehicles and Traffic, of this Code of Ordinances, except as follows:

    1) The applicant/permittee shall obtain permission of the Mayor to park equipment, trucks, and/or cars in "no parking," "no standing" and "no stopping" zones and will provide the signage detailing the date(s) and time(s) of the filming and parking restriction and these signs shall be posted by the applicant/permittee at least 24 hours prior to parking vehicles or equipment.

2) The applicant/permittee shall obtain the permission of the Mayor to string cable across sidewalks, or from generator to service point. Such cable or electrical lines shall be marked, taped and/or secured to avoid creating a hazardous condition.
3) The applicant/permittee shall furnish and install advance warning signs and any other traffic control devices required in order to take all appropriate safety precautions.
4) Traffic may be restricted to one twelve-foot lane of traffic and/or stopped intermittently. The period of time that traffic may be restricted will be determined by the City, based on location.
5) Traffic shall not be detoured across a double line without prior approval of the City of Hudson.
6) Unless authorized by the City, any camera cars must be driven in the direction of traffic and must observe all traffic laws.

F. Any emergency roadwork or construction by City crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.
G. A permittee under a film permit shall be required to personally deliver or to mail a copy of the film permit or a letter of intent to film to all owners of real property located within 100 feet of the property line of the filming and/or recording site as shown on the latest assessment roll of the City Assessor and to all owners of real property located on the same street as the filming and/or recording site who are located within 300 feet of a property line of such site at least two days for personal delivery or four postmarked delivery days for mailing prior to the first day of filming and/or recording. The Mayor may require notice to additional owners of real property in the vicinity if conditions of the filming and/or recording so require.

§ 132-8 **Authority to promulgate regulations; waiver of provisions.**

The Mayor may promulgate additional regulations in furtherance of the findings and purpose of this chapter.

A. The Mayor may grant a waiver of a part or parts of this chapter, and/or other City ordinances if the Mayor is so authorized therein, for a particular filming and/or recording event on the Mayor's written finding that such waiver would be in the public interest of the surrounding neighborhood and/or City as a whole.

§ 132-9 **Permit revocation or suspension; appeals.**

A. Permit revocation. A film permit may be revoked by the Mayor or their designee if the permittee, or any agent, employee, or contractor of the permittee fails to comply with the requirements set forth in this chapter, or in the film permit, or if it is determined that the film permit application was false in any material detail.

1) Notice of the grounds for revocation of the film permit shall be provided, in writing, to the permit applicant or person in charge at the location of the filming activity.
2) Appeals of the film permit revocation shall be conducted in the manner specified in this chapter.

B. Permit suspension. The City Police Department and/or Fire Department officers assigned to supervise the filming activity site may suspend the film permit if at any time the filming activity poses an immediate hazard to persons or property and the location manager will not, or cannot, prevent the hazard after being instructed to do so by the officer. The grounds for the film permit suspension shall be provided, in writing, by the Mayor to the permittee within two working days of the suspension.
C. Appeals. The film permit applicant or permittee may appeal a denial of a film permit, or a revocation, suspension, or permit condition. Such appeal shall be filed within 30 days of the decision of the Mayor to the full Common Council, which may recommend that it overturn the decision after a hearing. The decision of the Common Council will be final.

§ 132-10 **Penalties for offenses.**

A. Each and every violation of this chapter shall be punishable by a fine of not less than $250 for each and every day a violation of this chapter is found to exist.
B. The imposition of such fine and/or imprisonment shall not be the City's exclusive remedy in the event of a violation and the City shall have the right to pursue any and all other legal and equitable remedies available to it in connection with any violation of this chapter.

SECTION 6. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Common Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

On motion of **Councilmember Morris,** seconded by **Councilmember Rony,** the following proposed local law introduced by Councilmember Morris, seconded by Councilmember Rony, was ordered laid on the councilmembers' desks:

Local Law Introductory H of 2024

A LOCAL LAW AMENDING CHAPTER 174 OF THE CODE OF THE CITY OF HUDSON TO PROHIBIT EVICTIONS WITHOUT CAUSE

SECTION 1. TITLE

This local law shall be known as Local Law No. ___ for the year 2024.

SECTION 2, LEGISLATIVE FINDINGS, INTENT AND PURPOSE.

Renters in the City of Hudson, especially low and moderate income renters are increasingly faced with the refusal of landlords to continue to rent to otherwise credit-worthy tenants and tenants who are otherwise following all applicable laws. Increased real estate prices in the city is leading to increases in gentrification and the displacement of tenants who cannot afford increasing rents. The purpose of this law is to protect tenants from exorbitant rent increases that could result in increased homelessness within the City.

SECTION 3. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (chapter 36-a of the Consolidated Laws of the State of New York), the General City Law (chapter 21 of the Consolidated Laws of the State of New York), and Article 6-A of the New York State Real Property Law.

SECTION 4. AMENDMENT TO THE CODE OF THE CITY OF HUDSON

Chapter 174 of the Code of the City of Hudson is amended by ADDING the following Article:

Article III
Prohibition of Eviction Without Good Cause

§ 174-11 Protections Established.

A. There is hereby established, pursuant to and in accordance with the provisions of, Section 213 of Article 6-A of the Real Property Law of the State of New York, a Prohibition on Eviction without Good Cause.
B. Pursuant to §213- 2(a) of Article 6-A of the Real Property Law of the State of New York, the City of Hudson provides that any limit on or within a housing accommodation shall be exempt from the provisions of this Article if it has a monthly rate above three hundred forty-five percent of fair market rent as published by the United States Department of Housing and Urban Development and as shall be published for the County of Columbia by the New York State Division of Housing and Community Renewal.

C. Pursuant to §213- 2(h) of Article 6-A of the Real Property Law of the State of New York, the City of Hudson defines "small landlord." for purposes of this Part, to mean a landlord of no more than one unit anywhere in the State of New York.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State.

On motion of **Councilmember Morris,** seconded by **Councilmember Sarowar,** the following proposed local law introduced by Councilmember Morris, seconded by Councilmember Sarowar, was ordered laid on the councilmembers' desks:

Local Law Introductory No. I of 2024

A LOCAL LAW ADDING CHAPTER 288 OF THE HUDSON CITY CODE RELATING TO THE REGULATION OF TOW TRUCK OPERATORS

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

SECTION 1. TITLE This Local Law shall be known as Local Law No. ____ for the year 2024.

SECTION 2. LEGISLATIVE FINDINGS

The Common Council of the City of Hudson recognizes that the delay in removal of damaged and disabled motor vehicles from accident scenes, police activity scenes, and/or other emergency scenes may result in congestion of traffic and may cause additional accidents; that the slowing or stopping of motor vehicle traffic on a roadway can create safety risks, and that the towing of damaged and/or disabled motor vehicles in in the City of Hudson is a matter affecting the public interest and safety. The Common Council further finds that supervision and administrative control of such towing operations is necessary to protect the public against traffic problems, confusion at the scene of accidents, and potential fraud and excessive rates of predatory tow truck operators.

SECTION 3. LEGISLATIVE INTENT

The purpose of this legislation is to safeguard the public health, safety, and welfare, and to protect the general public from unsafe practices by operators of towing services such as what is commonly called "wreck chasing" and assure that consumers are protected from predatory pricing practices by operation of towing motor vehicles less than 6,500 pounds in the County. In addition, the intent of this legislation is to assure that the vehicles used are equipped with the appropriate safety items and carry appropriate insurance to protect the general public and the

operator and employees of towing entity. The rates for towing services as set forth in this chapter shall only apply to non-consensual tows as defined herein.

SECTION 4. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENT.

A. The Hudson City Code is hereby AMENDED by adding the following:

Chapter 288 Tow Truck Regulations

§288-1 Definitions.

AUTOMOBILE: Any private passenger motor vehicle or vehicle included in the definition of "automobile" under the New York State Vehicle and Traffic Law.

BOOT OR BOOTING: To clamp, affix or lock a booting device onto the wheel of a motor vehicle to prevent the wheel from rotating, thereby immobilizing the vehicle

DISABLED VEHICLE: Any vehicle for which towing is necessary because of an accident or for which towing is necessary because of the vehicle's inability to proceed under its own motor power due to reasons other than an accident.

FOR HIRE: Any instances where a fee, charge or other consideration is directly or indirectly imposed for towing, carrying, impounding, recovering or removing a vehicle.

GVWR: The gross vehicle weight rating of a tow truck, consisting of the weight of the unladen tow truck plus the maximum carrying capacity recommended by the vehicle's manufacturer.

NON-CONSENSUAL TOW: any tow performed without the prior consent or authorization of the owner, authorized agent, or operator of the motor vehicle, including but not limited to emergency situations and/or when tows are made from private property. The City of Hudson Police Department shall use a rotational tow list to select a towing service for nonconsensual tows. Nonconsensual tows include the storage of the damaged and/or disabled motor vehicle until the owner, operator or authorized agent claims the vehicle from storage.

OWNER: Includes a person owning, leasing or controlling one or more tow trucks and operating or causing such tow trucks to be operated on public highways for hire.

PERSON: Includes an individual, partnership, an unincorporated association, corporation or other entity.

PUBLIC HIGHWAY: Any highway, road, street, avenue, alley, public place, public driveway or any other public way.

ROTATIONAL TOW LIST: The list created and maintained by the City of Hudson Police Department consisting of tow truck companies authorized to tow vehicles on behalf of or at the request of the City of Hudson Police Department.

IMPOUND/STORAGE FACILITY: An area where towed vehicles may be legally stored pursuant to the laws of the City of Hudson including, but not limited to the City's zoning code, and which facility is owned or leased by the tow truck operator permittee.

TOWING: The moving, removing or recovering of a vehicle by another vehicle for hire.

TOW TRUCK: Shall have the same meaning as §148-b of the New York State Vehicle and Traffic Law.

TOW TRUCK DRIVER: Any person driving a tow truck for hire.

TOW TRUCK OPERATOR: A person who applies for and receives from the City Clerk of the City of Hudson a permit to engage in the business of towing and/or storage of vehicles.

TOW TRUCK OPERATOR PERMIT: permit issued by the City of Hudson Clerk identifying the person as authorized to perform as a tow truck operator to tow vehicles at the request of the City of Hudson Police Department.

VEHICLE: A motor vehicle as defined in section 125 of the Vehicle and Traffic Law, a tractor as defined in section 151-a of such law or a trailer as defined in section 156 of such law.

WINCHING: The act of utilizing a motorized cable on a tow truck to pull a vehicle for any purpose, including, but not limited to aligning a vehicle that is sideways, overturned, off road in a ditch or embankment, a vehicle that is locked in a parking lot with no keys available or a vehicle that has suspension or axle damage which will not allow the vehicle to roll off a flatbed truck. Winching shall not apply to vehicles being pulled onto a tow truck from the street.

§288-2 Tow Truck Regulations; Permit Required

A. No person shall engage in the business of towing, storing vehicles, or booting of vehicles at the request of the City of Hudson Police Department without first obtaining a Tow Truck Operator's Permit from the City Clerk of the City of Hudson. Nothing herein shall require a permit for the rendering of road service or providing of towing and storage services within the City of Hudson other than at the request of the City of Hudson Police Department.

B. The City of Hudson Clerk shall forward all complete applications to the Chief of Police or his/her designee. The Chief of Police or designee shall have sole discretion in deciding which applicant will be awarded permits as tow truck operators.

C. Permits issued pursuant to this Chapter must be renewed on or before the beginning of every calendar year.

D. Tow operators without a permit issued by the City may enter the City to remove a motor vehicle if no other permitted tow truck operator is available to handle the vehicle that needs to be removed, or if the owner/operator or designee of such vehicle requests a specific tow operator that is not permitted in the City.

§288-3 Application for a Tow Truck Operator's Permit; eligibility and application fee

A. Eligibility. A Tow Truck Operator is eligible to receive a permit when it has been in business for one year under its current Company name and has an established physical commercial address (no P.O. Box) at the time of application submission.

B. Application Requirements. Applicants for a Tow Truck Operator's Permit under this chapter shall file with the City Clerk a sworn application on a form to be furnished by the Clerk and include the following information:

1. The full name and address of the applicant. If the applicant is a corporation, it shall provide the names and addresses of all officers and directors, the registered agent and the names and address of stockholders owning more than 10% of the issued stock. If the applicant is a partnership, it shall provide the names and address of the partners. If the applicant is a limited liability company, it shall provide the names and addresses of the officers and directors. For an unincorporated association, the application shall include the names and addresses of each member thereof.

2. The year, make and model of each tow truck proposed to be used by the operator, vehicle identification number, registration number, name of registered owner, proof of current inspection and proof of current insurance.

3. The address where the tow trucks shall be regularly garaged, the telephone number(s), names, addresses and proof of a valid New York State driver's license with appropriate endorsements for all tow truck drivers.

4. The location, size and security features of the storage facility in which the towed vehicles will be stored including the number of available spaces. Impound/storage facilities may be indoors or outdoors and capable of holding up to six (6) cars. The impound/storage facility shall meet the following requirements: a) the impound/storage facility complies with applicable laws and codes, including the City’s zoning code; b) the impound/storage facility, if located outdoors, shall be paved and provide drainage and be surrounded by a six-foot gated fence screening the vehicles held therein from view; and (c) the property where the impound/storage facility is located shall be owned or leased by the applicant. Proof of ownership or an executed lease agreement shall be provided with the application.

5. Demonstrate reasonable measures to prevent theft and/or damage to stored vehicles.

6. Proof of insurance as set forth in Section 288-6 along with the name and address of the insurance carriers and the policy numbers of all insurance policies required thereunder.

7. A certification that on-call towing and storage services will be available 24 hours per day, every day of the year.

8. A copy of each tow truck operator and tow truck driver Driver's License. If additional drivers should be employed after the initial application or yearly renewal is submitted, the applicant or permittee must provide the City Clerk with a copy of the new Driver's License within 15 days of the new hire. Written notice that a driver will no longer be working for the applicant-permittee must also be provided to the City Clerk's office within 15 days of such driver's termination

9. Proof that a criminal background check for each tow truck driver was conducted at the time of hire must be provided at the same time the City Clerk's office is provided for each tow truck driver. Each driver must provide a written consent and present to a digital fingerprinting service, with the results of such service being submitted to and provided by the City of Hudson Police Department before they will be permitted to operate a tow truck in the City of Hudson. All costs associated with the requirements outlined in this paragraph are the sole responsibility of the tow trucking operator applying for the permit;

10. A certification that the fees and procedures required by this chapter shall be complied with at all times.

11. Written consent/acknowledgment that the Chief of Police or their designee may at any time during the permit period or in connection with a permit application, conduct an inspection of the tow vehicle(s) or storage facility in order to determine compliance with this Chapter; and

12. Such other information as the Chief of Police may reasonably prescribe.

C. Application Fee. The application for a tow truck operator's permit shall be accompanied by a fee as determined from time to time by the City of Hudson Common Council. Tow truck operator permits are issued for one tow truck. If the operator has more than one tow truck, multiple permits shall be obtained at a fee determined by the City of Hudson Common Council. Application fees are to cover the cost of the City of Hudson personnel to review applications, perform required inspections, and conduct personnel checks associated with same.

D. Permit Renewal. Upon expiration, any permit issued hereunder may be renewed by the Chief of Police. An application for renewal shall require:

1. Submission of a renewal application to the City Clerk, on the form prescribed by the City Clerk, and include (a) a notarized statement certifying there have been no changes in the information provided in the initial application, (b) the deletion or addition of business locations and tow trucks; (c) presentation of renewal insurance certificates; and (d) copies of the current state vehicle registrations for each vehicle having or requiring a Tow Truck Operator Permit.

2. Time to renew permit. To be considered timely, application for renewal is to be made 15 to 30 days prior to the date of expiration. A renewal application shall not be deemed submitted unless it is accompanied by all required fees information. No application for renewal shall be accepted more than 60 days following expiration of the permit. Failure to submit a renewal application by the 60th day following expiration shall require a new application and a new application fee as required under § 288-3(b) and (c).

§288-4 Minimum standards for permit approval.

A. The Chief of Police or his/her designee may approve the issuance of a Tow Truck Operator Permit where the following minimum standards are met:

1. Neither the applicant nor any tow driver shall have any criminal convictions or prior motor vehicle infractions which might adversely affect public safety or welfare as determined solely by the Chief of Police.

2. The applicant must own, lease, operate and maintain a facility for impounding vehicles within five (5) miles the boundaries of the City of Hudson such that the tow operator can respond to a call for service within 15 to 20 minutes of notification. If the applicant does not own the premises where the storage facility is located, a written lease for the use of the premises must be provided with the application. The storage facility must be in compliance with all local zoning, building and fire codes as certified by the Building Inspector or his/her designee.

3. The applicant maintains 24-hour capability to answer emergency calls regarding the towing of motor vehicles. The applicant or one of its employees shall be reachable by phone at all times at a designated number(s). Applicants must respond to all calls for towing from the Police Department on a 24 hour per day basis, 7 days per week all year without exception.

4. The applicant must have the ability to remove damaged and abandoned vehicles in any and all conditions.

5. The tow trucks and equipment are in safe and sound condition and in compliance with all applicable laws, rules and regulations. All applicants must meet minimum standards of operator performance, including but not limited to standards concerning the adequacy of the applicant's equipment and storage facility and availability.

6. All of the Applicant’s tow trucks and equipment must be in safe and sound condition and in compliance with all applicable laws, rules and regulations. All applicants and drivers must meet minimum standards of operator performance, including but not limited to standards concerning availability and the adequacy of equipment and storage facilities.

7. All permittees shall have the status of an independent contractor. In accordance with such status, agrees that Applicant shall agree to conduct itself in a manner consistent with such status and that will not represent itself as, and not claim to be, an officer or an employee

of the City of Hudson. The tow operator further agrees that it will not make against the City any claim, demand or application to for any right or privilege applicable to an officer or employee of the City, including but not limited to worker's compensation coverage, unemployment insurance benefits, social security coverage, or retirement membership or credit.

8. Each Tow truck operator shall submit with the application a fully executed hold harmless agreement in a form satisfactory to the Corporation Counsel. The applicant shall agree to indemnify and save harmless the City of Hudson, City of Hudson Police Department, elected officials and employees from and against all claims and/or liabilities which may occur as a result of performing services at the request of the City of Hudson Police Department.

B. Disqualification of applicant. In addition to the minimum standards referenced above, all applicants are subject to disqualification if found deficient in any of the following areas:

1. The applicant provided false or inaccurate information on the application form.

2. The applicant lacks experience and/or does not have good references from prior customers of the applicant's towing and storage services.

3. The applicant lacks sufficient insurance coverage for damage or loss of vehicles while under the applicant's control.

§288-5 Action on Application; appeal.

The Police Chief shall approve or disapprove an application within 45 days of receipt of same. If disapproved, the reasons therefore shall be set forth in writing. The City Clerk shall notify the applicant, in writing, that the application has been granted or denied. If the application is denied, the reasons for such denial shall be set forth in the notice, along with the applicant's right to appeal the denial to the City of Hudson Common Council. Any appeal of a denial shall be filed by the applicant with the City Clerk within 30 days of the date of said denial. The Common Council or a designated committee thereof shall have 30 days from the date of filing by the applicant with the City Clerk to act on said appeal.

§288-6 Insurance and Indemnification

A. In addition to the information and materials required in §288-3 of this Chapter, Applicants for tow truck operator permits shall present documentation confirming the following insurance coverages with any application for permit and application for renewal of permit:

1. New York State Workers' Compensation with statutory coverage including employers' liability insurance with limits of liability of at minimum $100,000 for each employee.

2. New York State disability insurance.

3. Comprehensive general liability insurance, including completed operations coverage, personal injury liability coverage, broad form property damage liability coverage, and contractual liability coverage insuring the agreements contained herein. The minimum limits of liability carried on such insurance shall be $1,000,000 per occurrence and $2,000,000 aggregate.

4. Automobile liability insurance for all vehicles utilized by the applicant, whether owned or not owned by the applicant. The minimum limits of liability carried for such insurance shall be $1,000.000 per person and $1,000,000 per incident. Each applicant also shall be required to carry an umbrella insurance policy for up to $3,000.000 to cover any claims above the primary layers of coverage.

5. Garage keeper’s liability insurance with minimum limit of liability of $1,000,000.

6. All policies of insurance provided by the applicant shall be endorsed to contain the following clauses: a) insurers shall have no right to recovery or subrogation against the City (including its employees, agents, and elected officials. It being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance; b) the clause "other insurance provisions" in a policy in which the City is named as an additional insured shall not apply to the City; c) the insurance companies issuing the policy or policies shall have no recourse against the City for payment of any premiums or for assessments under any form of policy; and d) any and all deductibles in the above-described insurance policies shall be assumed by and be for the account of, and at the sole risk of the applicant.

7. Insurance companies must be authorized to conduct business in New York and have a rating of (A) or better.

8. All applicants must furnish certificates of insurance to the City Clerk upon application for the permit and with respect to policy renewals, such certificates shall be provided at least 20 days prior to the renewal date. All insurance policies shall include language providing for 30 days' advance written notice before policy cancellation or a material change in coverage shall be given to the City Clerk of the City of Hudson.

9. The City of Hudson and City of Hudson Police Department, including employees and elected officials shall be named as additional insured for the comprehensive general liability and automobile liability insurance policies.

10. Any permit issued under this chapter shall be automatically revoked upon expiration or cancellation of the required insurance or if there is any material change in coverage which renders that coverage not in compliance with the aforementioned requirements.

§ 288-7 Identification of Tow Vehicles and Display of Permit

On each side of every tow vehicle, the permittee shall display the tow truck company name, physical business address, business telephone number, and DOT or ICC number in letters and

numbers that are clearly legible and in sharp color contrast to the color of the tow truck itself. Such markings shall be at least two inches in height and displayed in paint or other similar permanent markings, which must be clearly legible during daytime hours from a distance of 50 feet away. Each tow truck must also display the applicable towing permit in a location easily observed from the side window of said vehicle.

§288-8 Required Equipment on Tow Trucks

All Tow Truck Companies participating and placed on the City of Hudson Rotational Tow List must comply with all applicable New York State and Federal laws and regulations governing equipment requirements, and must further comply with the following:

A. Towing vehicles up to 9,999 pounds. Tow Truck Operators shall have the following equipment:

1. A minimum of one tow truck with a minimum 6,000-pound lifting boom on the rear of the truck and a 6,000-pound power winch equipped with a minimum of75 feet of 3/8" wire or synthetic rope. Tow Trucks shall have either (i) a gross vehicle weight rating (GVWR) over 10,000 pounds and/or (ii) a flatbed truck with a minimum gross vehicle weight rating (GVWR) of at least 15,000 pounds with at least 50' of 3/8" wire or synthetic rope.

B. Towing vehicles 10,000 pounds and over Tow Truck Operators shall have tow trucks with tow and recovery capacities for Class 3 through Class 8 vehicles.

C. All trucks under both paragraphs (A) and (B) of this section are to be equipped with:
   i. A broom;
   ii. A shovel;
   iii. Speedy dry or equivalent oil absorbent product
   iv. Minimum Grade 7 recovery chains, straps, and safety chains;
   v. Minimum one snatch block per wire or synthetic rope line
   vi. Warning lights or strobes visible 360 degrees that comply with New York State Law, specifically NYSVTL § 375-41 (3) Colored and Flashing Lights;
   vii. A fire extinguisher rated 4 combustible liquid fire by the national board of fire underwriters and six (6) highway flares; and
   viii. Auxiliary mounted rear tail and stop lights.

§288-9 Towing charges and towing service requirements.

A. Establishment of a fee schedule. The fee for towing, storage of vehicles, and/or installation and removal of boot device at the direction of the City of Hudson Police Department shall be set from time to time by the Common Council of the City of Hudson.

1. No person, company or entity shall be liable to any permittee who performs a basic tow or other towing service, or stores an automobile which was damaged in an accident, seemingly or actually abandoned, or recovered after being reported stolen, for any fees in

excess of those fees listed in the City's fee schedule, which shall be kept on file with the Police Chief or his/her designee, as well as by the City Clerk for the City of Hudson. Said fees shall be established annually by resolution of the Common Council of the City of Hudson. Said fees may also change from time to time upon the Council's consideration of any suggestions or recommendations of the Police Chief, should they become aware of any material changes to the prevailing rates for towing. Any changes in the fee schedule may be made by motion or resolution, which shall be passed by the Common Council. The fee schedule shall include basic towing service fees, storage fees, and other miscellaneous related charges.

2. For all towing services other than those defined as basic towing, storage, and booting and not otherwise accounted for in the City's Fee Schedule, and for all vehicles other than those defined as automobiles or accounted for on the City's Fee Schedule, a permittee shall set fees that are deemed to be reasonable and customary for towing and storage in and around the City of Hudson. The permittee shall submit annually, as part of its application or renewal thereof, its fee schedule for the towing and storage of all motor vehicles other than automobile.

3. It shall be the responsibility of the permittee to comply with all applicable Department of Insurance rules and fee regulations.

4. All permittees shall keep all ledgers, records, impound releases and bills, for all vehicles towed, and make same available to the City of Hudson Police Department upon request, for a period of three years from the date of service provided.

B. No person, company or entity shall be liable to any permittee for any fees in excess of those set forth in the City's Fee Schedule for any towing or storage services discussed in said Fee Schedule.

1. Storage fees will begin to accrue on the first calendar day after tow services are rendered, as recorded by or recognized by the City of Hudson Police Department, and shall be calculated in calendar days thereafter.

2. An administrative fee, not to exceed an amount designated in the City's Fee Schedule for same, for office functions may be charged by permittee.

3. A yard fee, not to exceed an amount designated in the City's Fee Schedule for same, for labor required to perform tasks, including but not limited to the following, may be charged by permittee: moving a towed vehicle as needed after initial placement in yard after tow; opening of vehicle upon request for recovery of personal property; and providing access to towed vehicle for removal of plates or other items needed for DMV or insurance.

C. When basic towing services are rendered for any automobile, there shall be no additional charges other than those provided for in subsection A above, including, but not limited to

flat bedding, service calls, second tow trucks or winching, cleanup costs or additional labor.

D. Permittees transporting multiple vehicles at one time may charge the applicable fee for each vehicle transported.

E. Each Tow Truck Operator and its drivers shall have a written schedule of all regulated rates and charges and shall provide the schedule to the owner or operator of the vehicle being towed prior to hook up along with the name, address and telephone number of the tow truck company and a statement of the hours when the motor vehicle may be claimed.

F. Permittee must meet the requirements of all state laws which pertain to towing services which are now enacted or may be enacted while the policies and procedures set forth in this Chapter are in effect. Permittee must provide the name, address and telephone number of the tow company and a statement of the hours when the motor vehicle may be claimed. Vehicles must be available for release, at the rates set forth in the City's Schedule of Fees, every Monday through Friday between the hours of 8:00 a.m. to 6:00 p.m., and every Saturday between the hours of 8:00 a.m. and 12:00 p.m. An additional charge of $75 may be imposed for release of a vehicle after those hours, or on Sundays and holidays should the storage facility otherwise be closed.

G. Cleanup of the accident scene is the responsibility of the tow truck operator. For example, vehicle parts must be picked up and broken glass must be swept and removed from the scene and not just swept to the side of the road.

H. A permittee shall not require that a vehicle be towed to any particular shop for repairs but may tow the vehicle to any location requested by the owner or operator of the towed vehicle. The permittee may refuse to tow to any location other than its yard if there is no one at the alternate location to accept control and responsibility for the vehicle or if weather conditions or some other articulable factor makes it unsafe or impractical to do so.

I. No permittee shall induce or require any operator/owner, company or entity with an interest in any motor vehicle being charged for towing or other services, to execute a waiver of liability for damages to such vehicle caused by the licensee, and no such waiver of liability shall be legally enforced. This shall not apply in cases of off-road recovery or lockouts.

J. A permittee shall not make any repairs or modifications to any vehicles towed or removed by order of the Police Department without first receiving written authorization from the owner of said vehicle or their authorized agent.

K. A permittee may not solicit any vehicle's owners/operator, or any company or entity with an interest in said vehicle, for permission to tow to lots or locations other than its designated impound/storage lots. Without an owner's/operator's request or written permission, or a request or written permission from any company or entity with an interest in said vehicle, all tows must be to the permittee's designated lot. Failure to do so is a violation of the license requirements.

§ 288-10 Driver qualifications

No person under the age of 18 years shall drive a tow vehicle. All tow vehicle operators must possess a valid New York State driver's license for the class of vehicle that is being operated and the tow truck endorsement.

§288-11 Prohibited Conduct

The following acts are prohibited. No person that conducts non-consensual tows shall:

A. Conduct a non-consensual booting or towing from a location within the City of Hudson of a vehicle registered as a passenger vehicle without the permit required by this chapter.

B. A tow truck operator will not approach within 1,000 feet, any accident or incident the agency has not been called to respond to by law enforcement or the registered owner of an involved vehicle.

C. Willfully fail to comply with any part of this chapter, or any order, demand or requirement made pursuant to the provisions of this chapter.

D. Willfully fail to provide an itemized bill for any regulated activity to the Chief of Police upon request.

E. Willfully make a false statement as to a material matter in any proceeding with respect to the refusal, suspension, or revocation of a license, or in any response to any order, demand, or inquiry by the Chief of Police or their designee with respect to a license.

F. Conduct a towing service that performs non-consensual tows in any name other than the one in which the wrecking or towing service is licensed.

G. Refuse, fail, or neglect to pay or comply with any judgment arising out of any towing activity entered in any court of competent jurisdiction, within 60 days after the entry of such judgment, or within 60 days after the disposition of any appeal from it, or within 60 days after the expiration of any period during which an appeal or further appeal may be taken from it, whichever is later.

H. Advertise or hold oneself out as being permitted to conduct non-consensual tows in the City of Hudson without possessing the permit required by this chapter.

I. Charge a fee for services or impose any other charge whatsoever for regulated services, in addition to in excess of those permitted by this chapter and any attendant regulations.

J. Tow a car which is legally parked in designated handicapped parking, unless directed by law enforcement.

K. Prohibit a vehicle owner, as ownership is indicated on the vehicle's registration, from removing personal property from a motor vehicle either prior to or subsequent to towing of the motor vehicle at any time during business hours. Such personal property shall not include any part of the vehicle itself, including radios or aftermarket equipment.

§ 288-12 Criminal penalties and violations for offenses.

Any person who conducts a non-consensual tow or booting without the licenses or registrations required by this Chapter are subject to the following penalties, in addition to any other penalty or relief permitted by law:

A. Any person who shall resist or obstruct any police officer, authorized officer, agent, or employees of the City of Hudson in the enforcement of the provisions of this Chapter may be charged under the appropriate section of the New York State Penal Law. The Tow Company or the tow truck driver, for violations of this Chapter, upon conviction, may be subject to a fine not to exceed $1,000.00 or a jail sentence of not more than fifteen (15) days, or both, for each violation, which shall constitute a separate offense within the meaning of this Chapter.

B. All Tow Truck Operators and their drivers must comply with all applicable rules and regulations of Federal Motor Carrier Safety Law, the New York State Vehicle and Traffic Law, the New York State Penal Law, the Regulations of the New York State Commissioner of Motor Vehicles, and the City of Hudson Code. A Tow Truck Company's failure to abide by the foregoing rules, regulations and statutory laws may result in suspension or removal from the City of Hudson Rotational Tow List if it is a Listed Company and are subject to the Violation and Penalties set forth in this Section, in addition to any criminal and/or civil prosecution.

C. Any person who, with intent to defraud or deceive, knowingly makes a false statement in securing a license, or in any proceeding with respect to the refusal, suspension, or revocation of a license, or in any response to any order, demand, or inquiry by the Board or by the Director with respect to a license or with respect to any towing estimate, bill or contract shall be guilty of a class A misdemeanor, punishable by a fine not exceeding $1,000, or imprisonment for a period not exceeding one year, or by both such fine and imprisonment.

D. The City of Hudson Police Department and any other law enforcement officer with proper jurisdiction are authorized to issue appearance tickets, as defined in New York State Criminal Procedure Law Section 150.10 for violations of this Chapter.

§288-13 Revocation and Suspension of Permit

A. The Police Chief may, upon reasonable notice to a permittee, suspend or revoke any licenses issued pursuant to this chapter for any of the reasons set forth below:

1. If an applicant or permittee should provide any false or materially inaccurate information in an application for licensure, or if there should be any change of circumstance after an application is approved, which would have caused disapproval of an application in the first instance.

2. If the applicant or permittee should fail to comply with any of requirements of this chapter; any additional regulations promulgated by the Police Chief after a license is granted; or any state, federal or local law relating to the operation or storage of a motor vehicle.

3. If a permittee or any of his agents or employees should provide unsatisfactory service, which jeopardizes public safety.

B. The Police Chief shall promulgate such rules, regulations, and procedures, not inconsistent with this Chapter, as may be reasonable and necessary to carry out the provisions of this Chapter.

SECTION 6. SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 7. EFFECTIVE DATE. This Local Law shall take effect ninety days after filing with the Secretary of State.

On motion of **Councilmember Morris,** seconded by **Councilmember Sarowar,** the following proposed local law introduced by Councilmember Morris, seconded by Councilmember Sarowar, was ordered laid on the councilmembers' desks:

Local Law Introductory J of 2024

A LOCAL LAW AMENDING CHAPTER 325, ARTICLES III and XIII

OF THE CITY OF HUDSON CODE

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

SECTION 1. TITLE This Local Law shall be known as Local Law No. ____ for the year 2024.

SECTION 2. LEGISLATIVE FINDINGS, INTENT AND PURPOSE

The City of Hudson Common Council finds that access to affordable, high-quality childcare is critical for working families. According to a publication issued by the New York State

Department of Labor, Division of Research & Statics in 2023 entitled *Child Care in New York State*, there are 5.2 children under the age of six for every available licensed child care slot in Columbia County. The City of Hudson's Zoning law presently does not permit child day care facilities as a use in any of the City's zoning districts. It is the intent and purpose of this law to expand available locations for Child Day Care facilities in Columbia County by adding the use as a conditional use in all zoning districts in the City of Hudson.

SECTION 3. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 4. AMENDMENT Chapter 325 of the Hudson City Code is hereby AMENDED as follows:

A. Chapter 325, Article III, Section 325-7 (B) Amended 3-16-1976 by L.L. No. 3-1976; 10-19-1993 by L.L. No. 10-1993; 12-19-2000 by L.L. No. 1-2001; 4-20-2004 by L.L. No. 3-2004; 1-30-2013 by L.L. No. 1-2013; 2-18-2014 by L.L. No. 2-2014 is hereby AMENDED by ADDING the following:

(7) Child Day Care facilities.

B. Chapter 325, Article XIII, Section 325-42 is hereby AMENDED by ADDING the following:

Child Day Care Facility: A facility providing supervised care, preschool, and/or before or after school activities to three or more children for more than three hours a day and which is licensed by the New York State Office of Children and Family Services.

SECTION 5. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Common Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Resolutions.

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

RESOLUTION NO. 13 September 17, 2024

RESOLUTION DECLARING INTENT TO ACT AS LEAD AGENCY FOR THE STATE ENVIRONMENTAL REVIEW ACT IN RELATION TO LOCAL LAW J FOR 2024 AMENDING CHAPTER 325 OF THE HUDSON CITY CODE

WHEREAS, on September 17, 2024 Local Law J for 2024 amending Chapter 325 Articles III and XIII of the City of Hudson Zoning Law was introduced for consideration by the Common Council of the City of Hudson ("proposed local law"); and

WHEREAS, the proposed local law constitutes a change in zoning uses affecting greater than 25 acres; and

WHEREAS, the Common Council has reviewed the State Environmental Quality Review Act ("SEQRA") Full Environmental Assessment Form ("FEAF"), Part I, examining the potential environmental impacts of the proposed local law, and

WHEREAS, the Common Council has determined that although the said Action is subject to review by the County Planning Board, it is not subject to approval from other involved agencies under SEQRA; and

WHEREAS, as such, the Common Council has determined that the Action is a Type I action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED, that, having reviewed the above-referenced FEAF, the Common Council determines that the Action is a Type I action under SEQRA and authorizes the Council President to execute same; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Hudson does hereby declare its intent to act as lead agency for this Action and will conduct a SEQRA review.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

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

RESOLUTION NO. 14 September 17, 2024

RESOLUTION REFERRING LOCAL LAW J FOR THE YEAR 2024 TO THE CITY OF HUDSON PLANNING BOARD AND COLUMBIA COUNTY PLANNING BOARD

WHEREAS, on September 17, 2024 Local Law J for 2024 amending Chapter 325 Articles III and XIII of the City of Hudson Zoning Law was introduced for consideration by the Common Council of the City of Hudson ("proposed local law"); and

WHEREAS, the proposed local law constitutes an amendment to the allowable uses in all zoning districts in the City of Hudson; and

WHEREAS, Chapter 325, Article XI requires that all amendments to Chapter 325 of the City of Hudson Code be referred by the Common Council to the City of Hudson Planning Board for a report prior to public hearing; and

WHEREAS, New York State General Municipal Law Section 239-m requires that amendments to the City's Zoning Law be referred to the County Planning Board prior to the City taking action on same;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Hudson does hereby refer proposed Local Law J of 2024 to the City of Hudson Planning Board and Columbia County Planning Board pursuant to City Code § 325-40 and NYS GML § 239-m; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to notice the public hearing on the proposed local law as set forth under § 325-40(C) of the Hudson City Code.

Ayes: Councilmembers Belton, Daskaloudi, Merante, Mizan, Morris, Purnhagen, Roberts, Rony, Sarowar, Volo and President DePietro.
Nays: None.

Local Laws.

President DePietro stated Proposed Local Law related to Brush, Grass and Weeds would be referred to the Conservation Advisory Council.

New Business.

Councilmember Belton stated there would be an Informational Picket at the Columbia Memorial Hospital held Wednesday, September 18th and she said "their negotiations are still going on and it's almost been a year so we should show them support".

Lloyd Koedding said "I'd like to register my opposition to war" and he said "the ongoing hostilities that are participated by the federal administration are at point ongoing and I wish that they would cease and that we would stop funding death and destruction."

Stephanie Monseu, 1st Ward Resident said "I would like to recommend that folks who don't exactly know what the Cause Eviction Law is really about, should go to the city's website and read a really excellent set of informational points submitted by Brahvan about, that refutes a lot of the arguments that people have against Good Cause Eviction Law such as it causes landlords to dis-invest in their properties such as that it reduces housing stock, there are many good points to Good Cause Eviction including keeping our neighbors in place and for the full informational story, it's right here in black and white, it's been done successfully in a lot of other places and I urge folks who are against it to learn more and help support equitable housing in Hudson".

Claire Cousin, 1st Ward Supervisor said "I think it's time for the council you know, almost passed it before and in good faith it was taken down, sort of changed and then didn't pass again, I think we're at the right time to have this conversation, tenants deserve your support on this, they deserve the protections that the state has highlighted is important, hence why they passed Good Cause at the state level and you know, there are people that are knowledgeable on Good Cause that you can reach out to that have reached out to you all and if you haven't heard from them and you would like to have a conversation, I encourage you to do that before the next meeting because it's important, there are constituents that are in support of this and would like to talk to you also and yea, I would just like to encourage you to dig deeper into it because we deserve Good Cause Eviction".

William Galvin, Attorney provided eviction filing trends for Hudson that he had obtained on the New York State Eviction Dashboard and he said "I think that indicates that it is right for Good Cause Eviction."

Naomi, Chief of State for Housing Justice for All said "unfortunately our state legislators decided to force you guys to make this choice for your community so I'm here tonight to encourage you to choose yes, to choose protect tenants from price gouging and eviction" and she said "very, very simply what Good Cause is, is a defense in housing court, it empowers tenants to negotiate the terms of their lease so that they can lower exorbitant rent hikes and protect against arbitrary unjust evictions". Naomi said "if you're a landlord that is you know, following the law, like doing regular repairs, raising the rents at a reasonable rate every year, it's not going to change a single thing about how you operate your building" and she said "landlords will still be able to evict tenants for a whole host of reasons including non-payment, nuisance, damage, if they want to take the unit back or whatever, for personal use but what it's designed to do is prevent predatory landlords, people who make their whole business model off of pushing people out of their homes so that they can rent the units out to higher paying tenants and make more profit". She said "there's no reason to believe that implementing these protections would reduce the supply of rental housing, it won't apply to new construction for the first fifty years and it will allow landlords to continue to make a reasonable return on their investment."

Quintin Cross said "not many people here, Claire, Justin, KK, life-long residents here but not many of our family members are still able to live here, not our kids you know, not our grandkids and it's because over years, starting with Warren Street, they were just kicked off because there was no rules, this allows for rules, this allows for us to see our family and know that they can have quality stable housing, this law allows us to feel like we're still a part of a community that we helped build, my great-grandfather was born in this city, most people can't say that". He said "the city has changed, a lot of progress" and he said "we want ours too, we just want to be able to live in good, safe housing, not be kicked out for anything, we just want to be able to be seen in these moments." Mr. Cross said "this law, come on, it's the State of New York, they took care of landlords and they took care of tenants, almost down the middle, we wanted more, we wanted a lot more, fought for, but this is what we have, we came here before and you said let's not do it because there was legal challenges, we didn't want to have the lawsuits, that's what you said to it, we got to wait for the state to pass, the state did its job, now it's time for you to do yours".

On motion of **Councilmember Morris,** seconded by **Councilmember Sarowar,** the councilmembers went into executive session to discuss pending litigation.

Following the executive session, all councilmembers were present.

President DePietro stated a roll call vote had been taken in relation to pending litigation and passed unanimously.

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

City Clerk