

LAWS & RULES COMMITTEE MEETING
Wednesday, January 15th, at 6:30 PM.

New Business:

1. Modifying Resolution 113 of 2015 (re: Arts Commission) - Mayor Noble

Old Business:

1. Volunteer Fireman's Museum Lease Agreement - S. Cahill
2. Support for Lower Esopus Stream Management Plan - E. Hauser
3. Support for HV Power Authority - Alderwoman Hirsch

①

L+R

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



January 2nd, 2025

Honorable Andrea Shaut
President/Alderman-at-Large
Kingston Common Council
420 Broadway
Kingston, NY 12401

Re: Modifying Resolution 113 of 2015

Dear President Shaut,

At the request of the Arts Commission and Department of Arts and Cultural Affairs, several modifications have been proposed to Resolution 113 of 2015. I would also recommend that these modifications be made official. A draft of the updated resolution is attached.

Respectfully Submitted,

Steven T. Noble
Mayor

Resolution ### of 2025

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NY AUTHORIZING THE MODIFICATION TO RESOLUTION 113 OF 2015

WHEREAS, Kingston is home to a wide range of arts disciplines, including visual, performing, and communications arts; individual artists, community-led arts and cultural organizations, businesses, and historical societies; and

WHEREAS, the arts in Kingston are in abundance and have the potential to contribute significantly to the continued revitalization of Kingston, Ulster County, and the region; and

WHEREAS, the Common Council of the City of Kingston formally approved the establishment of the City of Kingston Arts Commission in 2015 to serve as an umbrella organization to support and promote visual and performing arts activity, working directly with relevant staff, policy experts, and the community to develop the arts for the economic revitalization of the City; and

WHEREAS, the Common Council of the City of Kingston formally approved the establishment of the City of Kingston Department of Arts and Cultural Affairs in 2018; and

WHEREAS, the Common Council of the City of Kingston formally adopted the City of Kingston Arts and Culture Master Plan, currently in Implementation Phase III, on March 1 2022; and

WHEREAS, the Common Council of the City of Kingston formally adopted the City of Kingston Public Art Policy and Municipal Art Collection Plan on July 2, 2024; and

WHEREAS, the arts are responsible for reinvesting \$160 million back into the Kingston economy on an annual basis (Source: 2022 Arts and Culture Master Plan Economic and Fiscal Impact Analysis);

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the revised purpose of the Kingston Arts Commission’s mission is to advise the Mayor and Department of Arts and Cultural Affairs on the implementation of the City of Kingston’s Arts and Culture Master Plan, and Public Art Policy/Municipal Art Collection Plan. The Commission also makes recommendations to the Mayor and the Common Council on the development of cultural activities throughout the city; advises the further development, implementation, evaluation, and potential modification of other municipal policies and legislation as they pertain to arts and culture; serves to ensure that our area youth, artists, art organizations, art businesses, residents can equitably experience the benefits of this burgeoning arts economy.

SECTION 2. The commission shall consist of nine (9) **voting** members appointed by the Mayor. The

composition of the commission should to the extent possible reflect the broad diversity of the communities the City of Kingston serves. Diversity includes a broad range of backgrounds and perspectives — including but not limited to race, color, ethnicity, gender, language, nationality, sexual orientation, religion, socio-economic status, age, mental and physical ability, as well as experience and skillsets. Four (4) members of the commission shall be arts professionals, and five (5) shall be community members with arts-related specialties in policy, urban planning, economic development, resource development, education, or related fields. Arts professionals shall be defined as individuals having knowledge of the arts and recognized by peers as professional practitioners and/or administrators in the visual, performing, or communications arts or a combination thereof, as judged by the quality of their body of work, education, experience, past commissions, exhibition/performance record, publications, production of artworks, and service of their arts-related enterprise to the community of artists and makers. A Commission member shall receive no compensation for her/his services and this group will form rules of procedure as deemed necessary.

There shall be one (1) non-voting ex-officio member, or their designee – the Director of Planning or as appointed by the Mayor.

The Commission shall have a designated liaison representative from the Common Council appointed by the Common Council President.

The voting Commission members will serve one three (3) year term, may be reappointed to a second (3) year term, then may be re-appointed after an absence of one (1) year.

Applications submitted to the City of Kingston for appointment to the Art Commission shall be reviewed by a nominating committee of the KAC which will conduct interviews and present candidates to the KAC which shall make recommendations to the Mayor for appointment.

Relationship with Staff

The Director of Arts and Cultural Affairs, who reports to the Mayor, or their designee, shall serve as the city staff member specifically charged with the responsibility of implementing the Kingston Arts Commission's recommendations as approved by the Mayor, and in coordination with other municipal agencies and advisory boards for projects undertaken by the Department of Arts and Cultural Affairs.

SECTION 3. That the Kingston Arts Commission will serve as a resource, and collaborative partner for the Director of Arts and Cultural Affairs, the City elected officials, municipal staff, the City's Boards, Committees and Commissions, and the arts community of Kingston,

- a) Advising on the implementation of the Arts and Culture Master Plan, the Public Art Policy and the Municipal Art Collection Plan;
- b) Advising on and advocating for the further development, implementation, evaluation, and potential modification of the City's policies and legislation as they relate to arts and culture;
- c) Advocating for the role and value of arts and culture in civic life;
- d) Promoting greater public participation in, and access to arts and culture;
- e) Exploring alternative sources of funding and advocating for support of the Department of Arts and Cultural Affairs and making recommendations to the Mayor;
- f) Serving as a conduit for the Kingston community on cultural and arts

initiatives to ensure that residents can equitably experience the benefits of the arts, such as social cohesion, wellbeing, creative problem-solving and educational achievement;

- g) Serving as a conduit for members of the Kingston community to communicate to the City their arts and culture needs, wishes, and ideas.

SECTION 4. That the Kingston Arts Commission will make recommendations and advise the Mayor and the Arts and Cultural Affairs Director on the implementation of the Public Arts Policy/Municipal Art Collection Plan and establish the goals and priorities for the Public Art Committee:

- Receive periodic reports from the Public Art Committee on its proceedings;
- Review and approve recommendations from the Public Arts Committee on all projects and works to be added to the Municipal Art Collection, maintenance and care of the Collection and supportive funding plans;
- Conduct a review every other year of goals, policies, and guidelines as they pertain to policy and acquisition of artwork on behalf of the City
- Suggest policies regarding Public Art to conform with the policies of Heritage and Landmarks Commissions and other City codes, as well as addressing the interests of the immediate communities.

SECTION 5. That the Kingston Arts Commission in all of its work shall take into account the unique assets of the City of Kingston and shall also take into account the successes and achievements of related revitalization efforts in other cities around the country.

SECTION 6. That this resolution shall take effect immediately.

OLD BUSINESS

1

(L+R)

CITY OF KINGSTON
Historic Landmarks Preservation Commission

planning@kingston-ny.gov



Suzanne Cahill, Planning Director

Steven T. Noble, Mayor

November 25, 2024

Ald. At large Andrea Shaut, President
City of Kingston Common Council
City Hall – 420 Broadway
Kingston, Ny 12401

RE: 265 Fair Street – Fireman’s Museum of Kingston
Lease Agreement

Dear President Shaut:

As you are aware, our office has taken on a role in working with and supporting the Volunteer Fireman’s Museum in uptown Kingston as one of our city-owned and operated historic facilities which promote the history and heritage of the community. This is to request consideration by the Common Council to authorize the mayor to enter into a lease agreement, or possibly a Memorandum of Understanding, with the Volunteer Fireman’s Museum, who occupies and facilitates the public museum at 265 Fair Street. The property is owned by the City of Kingston, and we work directly with the group to assist in the regular care and maintenance of the structure, but the organization, which is a 501 C3 Not for Profit, runs it and is on site daily. A prior lease agreement has expired, and it is in the best interest of the City and the organization to renew the arrangement to set forth responsibilities and minimize liabilities.

The City Corporation Counsel Office is currently working to draft language that would update the prior instrument and that will be submitted to you in advance of the assigned Committee’s review. We are looking at applying for a grant and need to demonstrate a valid lease for the premises as one of the application conditions. Given the timing of that submission, I respectfully ask that you refer this matter, and I will work directly through you, along with the Committee Chair, to make sure the information is provided.

If there are any questions, please feel free to contact this office.

Regards,

Suzanne Cahill
Planning Director

Cc: S. Noble, Mayor
E. Tinti, City Clerk
B. Graves-Poller, Corp Counsel
M. Jankowski, Assist. Corp. Counsel
M. Berthiaume, Pres. Fireman’s Museum Board
N. Kikel, Grants Manager



January 22, 2024

To: Burt Samuelson, Planning and Ben Ganon, Department of the Environment

Copy: Consultants: Michael Chergosky and Jackie Van Der Hout

From: Emilie Hauser, Chair, on behalf of Kingston Conservation Advisory Council
eehauser@gmail.com, 845-430-9276

Re: Comments on the Lower Esopus Stream Management Plan DRAFT 12/18/2023

General Comments

Overall, the document is very well written and inclusive.

Both References and citations should be included: many citations are not listed.

Typo: SMP Objectives described in Sections 5.1 and 5.2. Objectives are in Sections 6.1 and 6.2.

Distinguish between objectives, strategies, and projects. Make it clear how each are used and described in the SMP and the Implementation Plan. Objectives should be SMART: Specific, Measurable, Achievable, Relevant and Time-Bounded. For example, this objective should be revised to be SMART:

Objective: Watershed Coordination Program.

Revision: By 2026, a watershed coordination program will be implemented that fosters collaboration and alignment between stakeholders.

Section and Page Specific Comments

Page 12: The IRP specifies three types of releases: a community release, a spill mitigation release, and an operational release (NYSDEC and DEP 2013).

- Comment: include short descriptions of these three types of releases.

Page 14: Invasive species and pathogens have also degraded upland forests and affected floodplain forest and stream dynamics.

- Comment: provide more descriptions of these. Are invasive species both animal and plant? Aquatic and terrestrial? What is meant by pathogens?

Page 15: Lower Esopus Creek faces challenges posed by climate change, releases from the Ashokan Reservoir.

- Comment: this sentence needs review and further discussion.

Page 16: Hurricane Irene:

- Comment: Often Hurricane Irene and Lee are listed together as they occurred so close in time.

Page 16: Large storm events, magnified by climate change, will continue to impact regional biogeochemical cycles, ecosystem metabolism, and thermal structures within reservoirs through the export of terrigenous dissolved organic matter (Yoon and Raymond 2012).

- Comment: This sentence could use more explanation. What is meant by export? Is dissolved organic matter being exported from the reservoir or to the system?

Page 17: areas with legacy glacial sediment

- Comment: Legacy implies created by humans. Perhaps a better phrase is “deposits of glacial sediments.”

Page 17: The absence of a centralized hub for watershed-wide data is also a challenge for appropriate management. Improved centralized organization will improve data access and management.

- Comment: Collection of consistent long-term water quality data is important. Specify what parameters are being monitored currently, including frequency and location, and what is planned for the future. Appendix 1 is cited regarding the *primary water quality parameters of concerns include turbidity, phosphorus, and viruses/coliform bacteria*, (page 12) but Appendix 1 is not included in the document, so no comments are possible. By watershed – does this imply basin observations or monitoring of tributaries such as Saw Kill and Plattekill?

Page 19: 5.2.4 Enjoyment –

- Comment: Creekside homeowners and other property owners should be included in the description as they enjoy the Creek and live with its problems 24/7/365.

Page 20: 5.3.1 Improving Water Quality

- Comments:
 - No mention of phosphorus is included in this paragraph even though throughout the document turbidity, phosphorus and bacteria are listed as a trio of water quality issues.
 - Are there plans to create TMDLs for any of these impairments: turbidity, phosphorus, and viruses/coliform bacteria? Noting that the Esopus is *listed as impaired for sediment under the Clean Water Act Section 303(d) and is regulated under New York Code Title 6 Reservoir Release Regulations* (page 12).

Page 20: A rigorous water quality testing program will be needed to monitor progress and identify spatial and temporal patterns in water quality degradation.

- Comment: Provide more detail on the “*rigorous water quality testing program*”.

Page 20: 5.3.3 Promoting Floodplain Management

- Comment: well stated.

Page 21: 5.3.4 Supporting Ecosystem Health and Biodiversity

- Comment: Creel surveys should be added to the list of types of surveys which can assess ecosystem health and biodiversity.

Page 21: 5.3.5 Encouraging Responsible Recreation

- Comment: Possibly add removal of debris dams and snags to enhance recreation subject to protocols as discussed elsewhere in our comments.

Page 21 et seq. 5.3.6 Engaging Local Communities

- Comment: this section uses the term communities and does not spell out the role of municipalities, NGOs, other stakeholders, property owners, decision makers and users. Municipalities have important roles in passing laws and ordinances, protecting wetlands and riparian buffers, providing access sites, and conducting programs through recreation departments and conservation advisory councils.

Page 22: 6.1 Watershed-Wide Objectives Thirteen watershed-wide objectives were identified for this assessment. These objectives provide discrete projects to help achieve the project goals.

- Comment: there are only 12 watershed-wide objectives listed. The headings under 6.1.1 to 6.1.12 are confusing, why are objectives listed as sub-headings? Distinguish between projects, objectives and strategies.

Page 22: 6.1.1 Lower Esopus Water Trail & Reservoir Release Notification

Objective: Create Water Trail for Lower Esopus Creek

- Comments:
 - Separate 6.1.1 into two objectives because Reservoir release notifications are needed despite whether a formal water trail is created. This point is even stated in the document: *Such a system of communication would also be a worthwhile project in its own right by keeping interested parties updated on flow rates.*
 - Suggestions for the two SMART objectives:
 - By 2034, a Lower Esopus Water Trail will be created for all navigable reaches.
 - By 2026, recreational users, property owners and local decision makers can easily access and understand real time flow rates from the Ashokan Reservoir.
 - It should be noted that the Water Trail can be discontinuous, including access from Saugerties Beach going upstream and access from Tina Chorvas Waterfront Park to the Saugerties Lighthouse in the tidal portion.
 - The economic opportunities of rental of paddling crafts should be mentioned under 6.1.1 as part of a water trail and Goal 5.3.5 and 5.3.6. At least two businesses already exist: Kenco and I Paddle New York.

Page 23: Text states “lack of absence of major obstacles in the stream between Marbletown Town Park and Glenerie Falls”

- Comment: The text may be inconsistent with page 47 and Figure 25 which discuss wood jams. While Page 23 acknowledges the need for a water trail maintenance plan, protocols

for removing wood jams in a manner that will not disturb habitat should be included together with safety protocols for recreational use concerning Glenerie Falls.

Page 23: 6.1.2 Watershed Coordination Program

- Comment: Watershed coordination is extremely important. The stream management plan and the Implementation Plan is a first step. There is also a need for a Watershed Management Plan. A Watershed Plan should be explicitly mentioned and described.

Page 26: 6.1.5 Septic System Assessment

- Comments:
 - Has it been determined that human waste and septic systems are the main source of bacterial contamination?
 - Mention should be made of local laws for septic inspection upon property transfer.

Page 26: 6.1.6 Riparian Buffers

Objective: Continue to establish riparian buffer easements along Esopus Creek

- Comments:
 - We suggest that easements be deleted from the Objective. List other methodologies besides easements to protect riparian buffers
 - Include NYSDEC Trees for Tribs <https://dec.ny.gov/nature/forests-trees/saratoga-tree-nursery/trees-for-tribs#New>.

Page 27: 6.1.8 Stormwater Management Improvements

- Comment: This is an important concern and green infrastructure is an important solution. Reduction of pollution through appropriate use of lawn and agriculture chemicals should also be covered.

Page 29: 6.1.11 Lower Esopus Creek Website

Regularly updated monitoring data on metrics such as river flow rates, turbidity levels, macroinvertebrate counts, and E. coli contamination. Data pertaining to Lower Esopus Creek can be managed through a centralized repository to decrease redundancy in data collection (for example, both Riverkeeper and the Ulster County Department of Health tracking E. coli contamination). Additionally, a centralized data repository would also allow for data gaps to be better identified. Improved data management could allow for coordination between various agencies, departments, municipalities, and organizations. Additionally, a centralized Lower Esopus Creek data repository would create an opportunity to track SMP implementation.

- Comments:
 - We agree that there should be regular, consistent, and funded monitoring data collection program with a centralized data repository.
 - Explain in more detail what data is being collected currently and what are the needs and gaps. An example of centralized data collection and real time dashboard is Hudson River Environmental Conditions Observing System (HRECOS.org), which collects water level, temperature, turbidity, specific conductivity, dissolved oxygen, and acidity.

Page 30: Development of a system for data collection

- Comment: The development of a consistent and sustained water quality testing and monitoring system should be thoroughly discussed with suggested parameters, collection points and frequency. Include a discussion of what parameters are monitored currently.

Page 30: 6.1.12 Building and Maintaining Relationships with Key Organizations

- Comments:
 - We suggest adding Kingston Land Trust as they are property owners along Esopus Creek in several locations and their mission is “protecting and providing access to land for the common good.”
 - A discussion about all stakeholders would be helpful. There are levels of stakeholder involvement and the roles they play: project team, advisory, promotional and users, for example.

Page 33: et. Seq. MZ 1 – Existing Conditions - “damaged beds of water celery (*Vallisneria americana*) in this Management Zone.”

- Comment: water celery has been recovering in the Hudson River since the high turbidity events in 2011, this may warrant mentioning. See <https://hrnerr.org/research-monitoring/mapping/>. Or restate as “it has been observed that high turbidity events such as Irene and Lee in 2011, have caused the temporary reduction in size and extent of the beds of the perennial water celery (*Vallisneria americana*).”

Page 37: 6.2.2 Esopus Bend – MZ 2

- Comment: Motorized boats are used in MZ 2. Include a similar objective to the one for MZ1: *Objective: Public Outreach for Motorized Watercrafts.*

Page 44 et seq. 6.2.4 Lake Katrine MZ 4:

- Comments
 - It should be noted that this zone includes parts of the Kingston at the southern, upstream reach from the city boundary near Wrentham Street, in the vicinity of Lincoln Park. (We note Lincoln Park is not a common descriptor for this area and it is not a hamlet or zip code designation even though it is on some maps.) In Kingston, this area has important floodplain wetlands, and the predominant land use is residential development.
 - Wood jams in the reach make it difficult for paddling and for a water trail. Removing wood jams would improve public access.
 - We agree that improving public access, for example through an accessible kayak launch in the reach, would allow for an improved paddler experience, either at Orlando Street or elsewhere.
- Comment: We agree with the following Objectives
 - Improve Public Access
 - Floodplain Management

- Plattekill and Saw Kill Stream Management Plans
- Comment: We also would like to point out the presence of water wells for the Town of Ulster Water District at Fording Place Road and Parish Lane in Lake Katrine, producing almost 307 million gallons annually. The wells draw from an unconfined aquifer and the impact on the base flow of the Esopus should be considered (Objective 6.1.4) Source: Annual Drinking Water Quality Report for 2022 Town of Ulster Water District.

Page 51: Note Figure 25

- Comment: Wood jams are discussed in 6.1.1 comments with respect to protocols and maintenance plan so as to not disturb habitat.

Page 52 et seq. 6.2.5 Interstate Crossing – MZ 5

Page 53: MZ-5 Human Infrastructure –

- *Comment:* Commercial development includes not only the Kingston Plaza, but also areas of impervious surfaces near the Roundabout, including car dealerships, hotels and apartment complexes, a Thruway work area, gas stations, park and ride, and bus garage. Some of these developments have been elevated, changing the flood way. This area flooded in April 2-3, 2005, besides any flooding related to Hurricanes Irene and Lee in 2011. We suggest adding an objective for flood studies of changes in flood way and flood zone and solutions for flood wall at the Plaza, under goal Promoting Floodplain Management 5.3.3. We further suggest that the flood studies we propose review the Kingson Meadows, the proposed development in the floodplain in the City of Kingston near to the Kingston Rail Trail (O&W) and the NYS Thruway as that proposal as presented to the Kingston Planning Board calls for significant engineering regarding elevations and movement of soil which could affect not j Kingston and the Town of Ulster.

Page 53: MZ 5- Public Use – Watertrail –

- Comment: An objective should be added specific to the launch on Sandy Road. This is not in Kingston but is just across Esopus. Kayak trips and races could occur here and there could be an opportunity to coordinate with Kenco, a nearby kayak rental business. The economic opportunities of rental of paddling crafts should be mentioned under 6.1.1 as part of a water trail and Goal 5.3.5 and 5.3.6. At least two businesses already exist: Kenco and I Paddle New York.

Page 53: MZ 5 - Objectives

Objective: Kingston-Esopus Waterfront Plan:

Primary Goal: Engaging Local Communities

- Comments:
 - Discussion has begun within Kingston government agencies on creating a Local Waterfront Revitalization Program (LWRP) for Kingston’s Esopus Creek, this would include waterfront in MZ 4 from city line near Wrentham Street and all of MZ 5. The

LWRP is a project of the NYS Department of State. Other municipalities could also develop LWRPs on the Esopus.

- The Waterfront Plan suggested by the plan should include a discussion of the proposed development, Kingston Meadows, discussed by us under MZ-5 Human Infrastructure above.
- Maintenance Plan and wood jams discussed in our 6.1.1 comments would also apply.
- Efforts to provide access on the City of Kingston side would be included, while acknowledging that the Sandy Road boat launch located in the Town of Esopus is only a short distance from the Washington Avenue bridge, the bus station, and the O&W Rail Trail.
- Ideas expressed under **6.1.9 Public Events**, have applications to the MZ 5 with regard to Goal 5.3.1 **Improving Water Quality**. We suggest the addition of workshops for property owners on ways to mitigate run-off from parking lots and other impermeable surfaces with the use of constructed green infrastructure as well as the reduction of lawn care chemicals. A watershed coordinator would be helpful in monitoring water quality and suggesting remedies, including the use of TMDLs if necessary.

Page 56: 6.2.6 Northern Hurley – MZ 6

Page 60: Figure 36

- Comment: A wood jam is shown in Figure 36. Maintenance Plan and wood jams discussed in our 6.1.1 comments would also apply here.

Page 87: Section 8 Conclusions:

- Comment: The flood study proposed under our MZ 5 comments and the Maintenance Plan that should include log jam protocols should be included in conclusions and next steps.

(2)

Resolution in Support of the Lower Esopus Stream Management Plan

WHEREAS, the Lower Esopus is an important water resource that adds environmental and economic value to the communities through which it passes and the landowners along its banks; and

WHEREAS, unilateral actions by the New York City Department of Environmental Protection to release turbid water into the Lower Esopus from the Ashokan Reservoir resulted in an Order on Consent (DEC Case No. D007-0001-11, Appendix A) issued in 2013 that provided funding for the development and implementation of a Stream Management Plan (SMP) for the Lower Esopus Creek; and

WHEREAS, the Lower Esopus Stream Management Plan was developed in collaboration with partners across the watershed through a rigorous planning process consisting of a data review, geomorphic assessment, public outreach, and both public and agency comment processes; and

WHEREAS, for the Lower Esopus Stream Management Plan and the Implementation Projects contained therein to be successful requires that the efforts of various state agencies, municipal governments, county departments, and nonprofit organizations work collaboratively towards a unified goal of ensuring that the Lower Esopus is a clean and vibrant creek providing value to all the communities along its route; and to safely enjoy; and

WHEREAS, the CITY OF KINGSTON is one of seven municipalities sharing the Lower Esopus stream corridor; and

WHEREAS, the Lower Esopus Creek is an important community asset cherished by many people; and

WHEREAS, the CITY OF KINGSTON Conservation Advisory Committee reviewed the Lower Esopus SMP and submitted comments on January 22, 2024 ; and

WHEREAS, the SMP Implementation Plan contains the several projects that the Conservation Advisory Committee submitted comments on April 12, 2024, and which the community supports and urges that these projects receive funding;

- Reservoir Release Notification System,
- Certified Floodplain Manager Initiative,
- Baseflow Study and Environmental Flow Releases,
- FEMA Map Revisions,
- Flood Risk Studies along the Kingston and Town of Ulster boundary in the vicinity of Washington Avenue and Kingston Plaza,
- Build Relationships with Key Organizations,
- Management Plans for the Plattekill and Sawkill, and
- Lower Esopus Watershed Coordinator

now, therefore be it

RESOLVED, that the COMMON COUNCIL OF THE CITY OF KINGSTON supports the Lower Esopus Stream Management Plan; and be it further

RESOLVED, that the COMMON COUNCIL OF THE CITY OF KINGSTON urges those state and federal agencies that provide funding for water quality and recreational resources recognize the SMP

and the efforts associated with its development in their decisions regarding funding requests made in accordance with the Plan; and be it further

RESOLVED, that a copy of this Resolution be filed with the municipalities through which the Lower Esopus passes, the County and the federal and state agencies with jurisdiction, as well as state and federal representatives,

and moves its Adoption

THE CITY OF KINGSTON COMMON COUNCIL

**LAWS & RULES
COMMITTEE REPORT**

DEPARTMENT: CAC

DATE: 12/18/24

Description:

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NY IN SUPPORT OF THE LOWER ESOPUS STREAM MANAGEMENT PLAN.

TABLED

Signature _____

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Michele Hirsch, Chairman, Ward 9		
Reynolds Scott Childress, Ward 3		
Sara Pasti, Ward 1		
Teryl Mickens, Ward 2		
Robert Dennison, Ward 6		

THE CITY OF KINGSTON COMMON COUNCIL

**LAWS & RULES
COMMITTEE REPORT**

DEPARTMENT: _____ DATE: 12/18

Description:
RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF KINGSTON, NEW YORK, CALLING UPON THE NEW
YORK STATE LEGISLATURE TO PASS, AND GOVERNOR
KATHY HOCHUL TO SIGN, THE HUDSON VALLEY
POWER AUTHORITY ACT (A: 10332/59534 OF 2024)

Tabled

Signature _____

Motion by BD

Seconded by SP

Action Required:

SEQRA Decision:
 Type I Action _____
 Type II Action _____
 Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Michele Hirsch, Chairman, Ward 9		
Reynolds Scott Childress, Ward 3		
Sara Pasti, Ward 1		
Teryl Mickens, Ward 2		
Robert Dennison, Ward 6		

4
Resolution of the Common Council of Kingston, New York, calling upon the New York State Legislature to pass, and Governor Kathy Hochul to sign, the Hudson Valley Power Authority Act (A.10332/S.9534 of 2024).

Sponsored by:

Whereas, the Hudson Valley Power Authority Act, sponsored by Assemblymember Sarahana Shrestha in the New York State Assembly and State Senator Michelle Hinchey in the New York State Senate, would create a new state power authority that is authorized to acquire Central Hudson and run it as a publicly-owned and democratic energy utility whose primary goal is to be in the service of its ratepayers by providing low rates, reliable service, correct and easy to understand bills, clean energy, community benefits, strong labor protections, and environmental justice; and

Whereas, publicly-owned utilities provide to ratepayers on average. As public entities, they can access financing at lower interest rates and prioritize affordability; and

Whereas, publicly-owned utilities have the highest track record of reliable service as they're able to prioritize service over profits; and

Whereas, with no shareholders to serve, publicly-owned utilities can serve as anchor institutions that invest in community benefits; and

Whereas, poor coordination has stalled the buildout of renewable energy. Publicly-owned utilities can coordinate directly with other state entities to streamline the energy system in its territory; and

Whereas, workers at investor-owned utilities are currently pitted against ratepayers. Publicly-owned utilities can invest in workers without always passing costs to its ratepayers; and

Whereas, public power entities with the public good as their core mission are more effective at leading a just transition to renewable energy as envisioned in the Climate Leadership and Community Protection Act; and

Whereas, Central Hudson has a proven history of not working to reduce ratepayers' reliance on fossil gas; and

Whereas, less than a month after receiving Public Service Commission (PSC) approval for rate hikes in July 2024, Central Hudson has requested another rate increase which would cause the average electric bill to increase by 5.3 percent and the average gas bill to increase by 5.9 percent; and

Whereas, Central Hudson has lost the public's trust through its yearlong billing scandal that increased the cost for its services for its customers with a 2022 Department of Public Service investigation determining that 8,000 customers were overcharged or double billed. In some cases the overcharge amount was by tens of thousands of dollars; and

Whereas, Central Hudson has the lowest-ranked utility in the state for customer satisfaction; and

Whereas, Central Hudson has a monopoly on generating profits from the distribution of electric power to over 300,000 customers in eight Hudson Valley counties from Putnam north to Albany; and

Whereas, Central Hudson Gas & Electric's faulty billing practices have led to significant financial and psychological strain; and

Whereas, Central Hudson restarted residential collections and shutoffs before the conclusion of the Department of Public Service's investigation into its billing issues and long before it had regained the public's trust; and

Whereas, according to the AARP, the New York utility affordability crisis is reported to be around \$1.6 billion dollars based on unpaid utility bills; and

Whereas, a 2021 Siena College survey reported that more than 50% of New York State residents claim that climate change is an issue that they are *very* concerned about; and

Whereas, Climate Change infrastructure repairs already cost New Yorkers more than a billion dollars each year with the NY State Comptroller estimating the price tag could be close to \$10 billion annually by 2050; and

Whereas, our municipality is a large ratepayer who has had difficult experiences with Central Hudson both around rate increases that impact our residents and in developing community energy projects; and

Whereas, our municipality and our Climate Smart Task Force has shown leadership in climate resilience and climate action through passing the Climate Smart Action Plan

2020 and the New York State Department of Environmental Conservation named Kingston the first Silver Certified Climate Smart City in the State of New York; and

Be it resolved, that the Common Council of the City of Kingston calls upon the New York State Legislature to swiftly pass, and the Governor to sign, the Hudson Valley Power Authority Act.

Furthermore, be it resolved, that City Clerk, Elisa Tinti will send this resolution to Assemblymember Shresth, State Senator Hinchey, and Governor Hochul.