

**CITY OF RENSSELAER
COMMON COUNCIL MEETING
WEDNESDAY EVENING
REGULAR MEETING
JULY 2, 2014**

THE COUNCIL CONVENED AT 7:08P.M. AND WAS CALLED TO ORDER BY PRESIDENT STALL.

THE ROLL BEING CALLED, THE FOLLOWING ANSWERED TO THEIR NAMES:

PRESIDENT STALL

ALDERPERSON:	VAN VORST	ALDERPERSON:	CASEY
	GARDNER		MOONEY
	DEFRANCESCO		VAN DYKE

ABSENT:

CITY OFFICIALS IN ATTENDANCE: MAYOR DWYER, D.P.W. COMMISSIONER DOMINICK TAGLIENTO AND DEPUTY CLERK NICOLE SPATH

ALDERPERSON GARDNER MOVED THAT THE MINUTES BE ADOPTED AS PRINTED, SUBJECT TO CORRECTIONS, SECONDED BY ALDERPERSON DEFRANCESCO. PRESIDENT STALL DECLARED THIS MOTION DULY ADOPTED.

COMMUNICATIONS FROM DEPARTMENT HEADS:

CITY CLERK HARDT REPORTS THAT THE MAYOR HAS APPROVED ALL RESOLUTIONS PASSED AT THE LAST COUNCIL MEETING.

PRESENTATION OF ACCOUNTS:

ALDERPERSON MOONEY MADE A MOTION TO WAIVE THE READING OF THE BILLS AND PAYROLL, SECONDED BY ALDERPERSON DEFRANCESCO.

VOTES TO WAIVE THE READING OF BILLS

AYES: VAN VORST, GARDNER, DEFRANCESCO, CASEY, MOONEY, VAN DYKE AND STALL

NOES:

PRESIDENT STALL DECLARED THIS MOTION DULY ADOPTED

ALDERPERSON MOONEY MADE A MOTION TO ACCEPT THE BILLS AND PAYROLL AS PRINTED SUBJECT TO CORRECTION, SECONDED BY ALDERPERSON VAN DYKE.

VOTES TO ACCEPT THE BILLS AND PAYROLL:

AYES: VAN VORST, GARDNER, DEFRANCESCO, CASEY, MOONEY, VAN DYKE AND STALL

NOES:

PRESIDENT STALL DECLARED THIS MOTION DULY ADOPTED

COMMITTEE & WARD REPORTS:

WARD 1: ALDERPERSON GARDNER REPORTS THAT THE LAUNDROMAT ON PARTITION STREET LOOKS GOOD AND THAT CONSTRUCTION IS ALMOST COMPLETE.

WARD 3: ALDERPERSON DEFRANCESCO REPORTS NATIONAL GRID WILL BEGIN WORKING SOUTH ON UPPER AND LOWER SECOND STREET.

WARD 5: ALDERPERSON MOONEY REMINDS US THAT THE EMERGENCY SEWER WORK HAS BEGUN ON WASHINGTON AVENUE NEAR MUNGER ST. WORK SHOULD TAKE 2-3 WEEKS AND TO PLEASE SLOW DOWN WHEN DRIVING IN THAT AREA.

PRESIDENT STALL ANNOUNCED:

- SOLID WASTE CHANGES TAKE PLACE THIS MONTH
- CASINO APPLICATIONS HAVE BEEN SUBMITTED TO THE N.Y.S. GAMING COMMISSION. PRESIDENT STALL THANKED MAYOR DWYER FOR ALL OF HIS HARD WORK AND NUMEROUS HOURS OVER MANY MONTHS TO SECURE A DEVELOPER AND HARD ROCK INTERNATIONAL FOR THE CASINO PLANS.
- READ AN ARTICLE FROM PRNewswire IN ORLANDO, FL REGARDING THE PROPOSED HARD ROCK CASINO AND HOTEL RENSSELAER.
- PRESIDENT STALL WISHES EVERYONE A SAFE AND HAPPY 4TH OF JULY HOLIDAY WEEKEND.

BIDS: NO BIDS

CLAIMS: NO CLAIMS

PETITIONS: NONE

A MOTION WAS MADE BY ALDERPERSON MOONEY TO ADJOURN AT 7:25 P. M. AND SECONDED BY ALDERPERSON DEFRANCESCO.

VOTES TO ADJOURN: VAN VORST, GARDNER, DEFRANCESCO, CASEY, MOONEY, VAN DYKE AND STALL

NOES: NONE

PRESIDENT STALL DECLARED THIS MOTION DULY ADOPTED.

NEXT MEETING: JULY 16, 2014



NANCY E. HARDT
City Clerk

CITY OF RENSSELAER

OFFICE OF
THE CITY CLERK
CITY HALL
62 WASHINGTON STREET
RENSSELAER, NEW YORK 12144

(518) 462-4266
Fax: (518) 462-0890

AGENDA FOR THE COMMON COUNCIL MEETING

JULY 2, 2014

- 1. A RESOLUTION APPOINTING COMMISSIONER OF DEEDS TO RENSSELAER POLICE OFFICERS.**
- 2. A RESOLUTION ALLOWING THE USE OF RIVERFRONT PARK FOR ANTIOCH CHURCH'S HOT DOG FUNDRAISER.**
- 3. A RESOLUTION ALLOWING THE USE OF RIVERFRONT PARK FOR THE MOBILE OBSERVATORY PROJECT.**
- 4. A RESOLUTION SCHEDULING A PUBLIC HEARING TO DISCUSS PARKING ISSUE ON EAST SIDE OF THIRD STREET.**
- 5. A RESOLUTION AUTHORIZING LAND SWAP BETWEEN CITY OF RENSSELAER AND BRAYTON CONSTRUCTION, INC. ON FIRST ALLEY.**
- 6. A RESOLUTION PROVIDING TERMS OF BIKE PATH.**
- 7. A RESOLUTION RATIFYING A LEASE EXTENSION AGREEMENT WITH THORPE ELECTRIC.**
- 8. A RESOLUTION TO INSTALL "NO PARKING DRIVEWAY" SIGN.**

- 9. A RESOLUTION REGARDING CHANGES TO LOCAL LAW
NO. 7 OF 2003.**
- 10. A RESOLUTION TO TRANSFER FUNDS IN THE FIRE
DEPARTMENT.**
- 11. A RESOLUTION TO TRANSFER FUNDS IN THE PLANNING
DEPARTMENT.**
- 12. A RESOLUTION TO TRANSFER FUNDS.**
- 13. A RESOLUTION TO TRANSFER FUNDS IN THE YOUTH
DEPARTMENT**
- 14. A RESOLUTION TO TRANSFER FUNDS IN THE FIRE
DEPARTMENT**
- 15. A RESOLUTION TO TRANSFER FUNDS FOR WORKER'S
COMPENSATION.**
- 16. A RESOLUTION TO TRANSFER FUNDS FOR WORKER'S
COMPENSATION.**
- 17. A RESOLUTION AWARDDING ROUTE 20 BIKE AND
PEDESTRIAN IMPROVEMENT CONTRACT**

By Alderperson : DeFrancesco

Seconded by Alderperson : Council AS A whole

#4

A RESOLUTION SCHEDULING A PUBLIC HEARING TO DISCUSS PARKING ISSUE ON EAST SIDE OF THIRD STREET

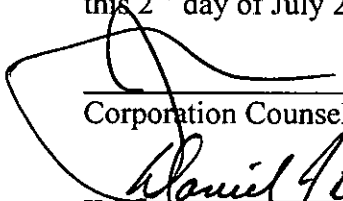
WHEREAS, Due to the constricted size of Third Street, numerous automobiles have been damaged, and

WHEREAS, it would be desirous to allow vehicles to park partially on sidewalks, and

WHEREAS, the current issue is explained in detail in Alderman DeFrancesco's attachment.

NOW, THEREFORE BE IT RESOLVED, that a Public Hearing be scheduled for July 16, 2014, immediately following the public speaking portion of the Common Council meeting to discuss the parking issue on the east side of Third Street.

Approved as to form and sufficiency
this 2nd day of July 2014


Corporation Counsel


Mayor

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
Total	7	0

ResolutionphThirdStreet070214

REQUEST TO PARK ON CURB

I have been approached by residents in our area, and believe myself that this is the simplest and fastest way to improve our local issue, at no cost. We are requesting that no ticket be issued for parking on the curb on the East side of Third Street, the area with parking only on one side of the street from 1450 to 1554 approximately 2 blocks.

Many of our automobiles have been hit numerous times ripping off mirrors or sideswiping our vehicle. The majority of which are hit and run leaving the owner to pay for the damage or make an insurance claim.

Code for a 2 lane road of this type and traffic with buses and emergency vehicles is a minimum of 29' for driving and parking lanes. Our streets average is 23'7" and sidewalk width averages 6'9" on one side of street. We do have room to make this change.

We request that vehicles can park in line with signs and fire hydrants on the sidewalk of the East side of street starting at 1450 Third Street on the cement (not on grass) north to 1554 Third Street. And only issue tickets if pedestrian traffic is blocked.

3rd Ward Alderperson

449-7415

John DeFrancesco

jdefran77@yahoo.com

Vehicles can park in line with signs and fire hydrants on the sidewalk of the East side of street starting at 1450 Third Street on the cement (not on grass) north to 1554 Third Street.

Tickets will be issue if pedestrian traffic is blocked.

City not responsible for damage to automobile if you chose to park on curb.

Cars and light trucks only.

By Alderperson : Council As A Whole

Seconded by Alderperson : _____

A RESOLUTION TO INSTALL "NO PARKING DRIVEWAY" SIGN

#8
WHEREAS, the City of Rensselaer is desirous of installing a **NO PARKING DRIVEWAY** sign at 47 Harrison Avenue, Rensselaer, NY, and

WHEREAS, said sign is proposed to be installed One Hundred Feet (100") east of the intersection of Third Street and Harrison Avenue, and

WHEREAS, a Public Hearing was held on June 18, 2014.

NOW, THEREFORE BE IT RESOLVED that a **"NO PARKING DRIVEWAY"** sign be installed at 47 Harrison Avenue, Rensselaer, NY.

Approved as to form and sufficiency
this 2nd day of July 2014

Corporation Counsel

David J. Dwyer

Mayor

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
JAMES VAN VORST	✓	
DAVE GARDNER	✓	
JOHN DEFRANCESCO	✓	
JAMES CASEY	✓	
RICHARD MOONEY	✓	
MARGARET VAN DYKE	✓	
BRIAN STALL	✓	
Total	7	0

ResolutionNPdriveway070214

By Alderperson : Stall

Seconded by Alderperson : Council

A RESOLUTION REGARDING CHANGES TO LOCAL LAW NO. 7 OF 2003

WHEREAS, the City of Rensselaer is desirous of making changes to Local Law No. 7 of 2003 regarding a payment plan for real property owners in the City of Rensselaer and

WHEREAS, the salient of changes to said Local Law include, but are not limited to:

1. The Local Law shall apply only to property owners who permanently reside in the City of Rensselaer and in the property in question.
2. Property owners are eligible for the payment plan only if they have not utilized the plan within three (3) consecutive years.
3. All plan applications must be reviewed and approved by the City Budget Committee.
4. Exceptions may be granted by the Common Council on a case-by-case basis after review and recommendations of the Budget Committee, and any payment plan must be approved by the Common Council with a two thirds (2/3) majority vote, and
5. Owners are only eligible for payment plans if they are current (if any) on any other City and County property taxes, and

WHEREAS, a Public Hearing was held on June 18, 2014.

NOW, THEREFORE BE IT RESOLVED that the changes to Local Law No. 7 of 2003 as listed above be made.

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
Total	7	0

Approved as to form and sufficiency
this 2nd day of July 2014

Corporation Counsel

Mayor

ResolutionadjLL070214

By Alderperson : Stall

Seconded by Alderperson : Council As A Whole

A RESOLUTION TO TRANSFER FUNDS

The Council has deemed it necessary to transfer funds to support Personal Services throughout the end of the year.

The Council hereby authorizes the Treasurer to make the following transfer in the 2013 – 2014 budget.

FROM:

A.1430.7440	Contractual Services	\$5,190.47
A.1900.7448	Contingency Fund	4,143.21
	TOTAL	\$9,333.68

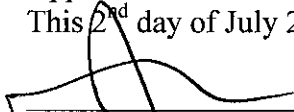

TO:

A.1430.7100	Executive	\$5,190.47
A.1430.7100	Executive	4,143.47
	TOTAL	\$9,333.68

Approved as to form and sufficiency
This 2nd day of July 2014

JAMES VAN VORST
 DAVE GARDNER
 JOHN DEFRANCESCO
 JAMES CASEY
 RICHARD MOONEY
 MARGARET VAN DYKE
 BRIAN STALL

	AYES	NOES
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
Total	7	0


 Corporation Counsel

 Mayor

#12

By Alderperson : Van Vorst

Seconded by Alderperson : Council As A Whole

#14
A RESOLUTION TO TRANSFER FUNDS IN THE FIRE DEPARTMENT

The Council has deemed it necessary to transfer funds in the Fire Department to cover the cost for vehicle maintenance and certification of air packs.

The Council hereby authorizes the Treasurer to make the following transfer in the 2013 – 2014 budget.

FROM:

A.3410.7414	Physicals	\$3,000.00
	TOTAL	\$3,000.00

TO:

A.3410.7440	Contractual Services	\$3,000.00
	TOTAL	\$3,000.00

Approved as to form and sufficiency
This 2nd day of July 2014

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
Total	7	0

Corporation Counsel

Alvin J. Surgen

Mayor

By Alderperson : Gardner

Seconded by Alderperson : Council As A whole

A RESOLUTION AWARDDING ROUTE 20 BIKE AND PEDESTRIAN IMPROVEMENT CONTRACT

#17

WHEREAS, the City of Rensselaer passed Resolution No. 10 on June 4, 2014 appropriating funds for Route 20 Corridor, a copy of which is annexed hereto, and

WHEREAS, the City let bids for the improvements, and

WHEREAS, August Bohl Constructing Co., Inc. was the low bidder in the amount of Six Hundred Eighty Four Thousand Seven Hundred Forty One Dollars and Six Cents (\$684,741.06).

NOW, THEREFORE, BE IT RESOLVED, that August Bohl Constructing Co., Inc. be awarded the Route 20 Corridor contract.

Approved as to form and sufficiency
this 2nd day of July 2014

Corporation Counsel

Mayor

Resolutionbikepath2_070214

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
	✓	
	✓	
	✓	
	✓	
	✓	
	✓	
Total	7	0

By Alderperson : Council As A Whole

Seconded by Alderperson : _____

#10

RESOLUTION

A RESOLUTION TO AMEND THE RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF ONE HUNDRED PERCENT (100%) OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE, DATED JUNE 4, 2014

WHEREAS, a Project for the Route 20 Corridor Bike/Ped. Improvements, City of Rensselaer, P.I.N. 1757.35 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of Eighty Percent (80%) federal funds and Twenty Percent (20%) non-federal funds, and

WHEREAS, the City of Rensselaer desires to advance the Project by making a commitment of One Hundred Percent (100%) of the non-federal share of the costs of Preliminary Engineering, Construction and Construction Inspection, and

WHEREAS, the original resolution allowed that the sum of One Million Dollars (\$1,000,000.00) had been already appropriated from the general fund and made available to cover the cost of participation in the above phases of the Project pursuant to a bond resolution adopted by the Common Council on March 19, 2014, and

WHEREAS, the original resolution also stated that the additional sum of Eighty Five Thousand Dollars (\$85,000.00) was hereby appropriated from the general fund and made available to cover the cost of participation in the above phases of the Project (total appropriation of One Million Eighty Five Thousand Dollars [\$1,085,000.00]), and

WHEREAS, the corrected resolution now reflects the appropriated figures as listed below.

NOW, THEREFORE, the Common Council, duly convened, does hereby

RESOLVE, that the Common Council hereby approves the above-subject Project,

BE IT FURTHER RESOLVED, that the Common Council hereby authorizes the City of Rensselaer to pay in the first instance One Hundred Percent (100%) of the federal and non-federal share of the cost of Preliminary Engineering work for the Project or portions thereof, and

BE IT FURTHER RESOLVED that the sum of One Hundred Eighty Eight Thousand Dollars (\$188,000.00) has been already appropriated from the general fund and made available to cover the cost of participation in the above phases of the Project pursuant to a bond resolution adopted by the Common Council on March 19, 2014, and

BE IT FURTHER RESOLVED, that the additional sum of Nine Hundred Thirty Eight Thousand Three Hundred Thirty One Dollars (\$938,331.00) is hereby appropriated from the general fund and made available to cover the cost of participation in the above phases of the Project, (total appropriation of One Million One Hundred Twenty Six Thousand Three Hundred Thirty One Dollars [\$1,126,331.00]), and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Common Council of the City of Rensselaer shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Rensselaer be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rensselaer with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Approved as to form and sufficiency
this 4th day of June 2014

JAMES VAN VORST
DAVE GARDNER
JOHN DEFRANCESCO
JAMES CASEY
RICHARD MOONEY
MARGARET VAN DYKE
BRIAN STALL

	AYES	NOES
		A
	V	
		A
	V	
	V	
	V	
Total	5	0

absent
Corporation Counsel
David J. Dwyer
absent
Mayor

Resolution Marched 0061814