



MAUREEN G. NARDACCI
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

AUGUST 7, 2013

- 1. A RESOLUTION RENEWING THE APPOINTMENT OF MAUREEN G. NARDACCI AS MARRIAGE OFFICER.**
- 2. A RESOLUTION TO TRANSFER FUNDS IN THE LIBRARY.**
- 3. A RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A GRANT APPLICATION TO THE OFFICE OF COMMUNITY RENEWAL FOR FUNDING FOR HOUSING PUBLIC FACILITIES OF ECONOMIC DEVELOPMENT THROUGH THE NYSCDBG PROGRAM FOR THE YEAR 2013.**
- 4. A RESOLUTION TO FINANCE THE CITY LIABILITY INSURANCE UTILIZING AFCO.**
- 5. A RESOLUTION SCHEDULING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PLACEMENT OF A STOP SIGN ON FIRST STREET AT THE INTERSECTIONS OF FIRST STREET AND TRACY STREET FACING NORTHBOUND TRAFFIC.**
- 6. A RESOLUTION TO ACCEPT PAYMENT TO COVER INTEREST AND RETURN CHECK CHARGES FROM MR. JOHN NESLER.**
- 7. A RESOLUTION TO REFUND MICHAEL STEWART RELEVY FEES.**

- 8. BOND RESOLUTION: BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED AUGUST 7, 2013, AUTHORIZING THE UNDERTAKING OF A CERTAIN PROJECT CONSISTING OF THE REPLACEMENT OF WATER MAINS AND LINES IN THE WASHINGTON AVENUE AREA AND ON BROADWAY BETWEEN PINE AND JOHN STREETS INCLUDING THE ACQUISITION AND RECONSTRUCTION OF WATER LINES, MAINS, VALVES, AND APPURTENANCES THERETO AND THE RECONSTRUCTION OF ROADWAYS AND SIDEWALKS TO THE EXTENT REASONABLY NECESSARY TO PERMIT SUCH RECONSTRUCTION STATING THE ESTIMATED MAXIMUM COST OF SAID PROJECT TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS \$2,400,000, APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION.**
- 9. BOND RESOLUTION: BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED AUGUST 7, 2013, AUTHORIZING THE ACQUISITION OF A PARTIAL OWNERSHIP INTEREST IN CERTAIN IMPROVEMENTS TO THE JOINT WATER DISTRICT FACILITIES, STATING THE ESTIMATED MAXIMUM COST OF SAID ACQUISITION, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS \$4,700,000, APPROPRIATING SAID SUM THEREFOR AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY TO FINACE SAID APPROPRIATION.**
- 10. A RESOLUTION ADOPTING A NEW BUILDING PERMIT FEE SCHEDULE.**

By Alderperson :

Council As A Whole

Seconded by Alderperson :

A RESOLUTION RENEWING THE APPOINTMENT OF MAUREEN G. NARDACCI AS A MARRIAGE OFFICER

WHEREAS, there has been a need for more than one (1) Marriage Officer in the City of Rensselaer.

NOW, THEREFORE BE IT RESOLVED, that Maureen G. Nardacci is hereby reappointed as a Marriage Officer for the City of Rensselaer from August 8, 2013 with her term expiring on December 31, 2013.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

Charles J. Dupe

Mayor

MARION WEBBER
JAMES VAN VORST
PHIL ELACQUA
GRETCHEN POOLE
DOMINICK TAGLIENZO
BRIAN STALL
JAMES CASEY
RICHARD MOONEY
MARGARET VANDYKE
HARRY ADALIAN

AYES	NOES
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
Total	45 0

ResolutionMarriageofficer080713

John DeFrancesco

#1

By Alderperson : _____ Council _____

Seconded by Alderperson : _____

A RESOLUTION SCHEDULING A PUBLIC HEARING

#3
WHEREAS, the City of Rensselaer is desirous of scheduling a Public Hearing to consider a grant application to the Office of Community Renewal for funding for housing, public facilities or economic development through the NYSCDBG Program for the year 2013.

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be scheduled after the public speaking portion of the Common Council meeting on August 21st, 2013, to discuss the above issue.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

Dominick Tagliento

Mayor

ResolutionphCDBGgrant080713

Defranisco
MARION WEBBER
JAMES VAN VORST
PHIL ELACQUA
GRETCHEN POOLE
~~DOMINICK TAGLIEN TO~~
BRIAN STALL
JAMES CASEY
RICHARD MOONEY
MARGARET VANDYKE
HARRY ADALIAN

	AYES	NOES
MARION WEBBER	✓	
JAMES VAN VORST	✓	
PHIL ELACQUA	✓	
GRETCHEN POOLE	✓	
DOMINICK TAGLIEN TO	✓	
BRIAN STALL	✓	
JAMES CASEY	✓	
RICHARD MOONEY	✓	
MARGARET VANDYKE		
HARRY ADALIAN		
Total	8	0

By Alderperson : Stall

Seconded by Alderperson : _____

A RESOLUTION TO FINANCE THE CITY LIABILITY INSURANCE UTILIZING AFCO

WHEREAS, the City of Rensselaer is desirous in utilizing AFCO to finance the City of Rensselaer liability insurance.

NOW THEREFORE, BE IT RESOLVED, that the City of Rensselaer finance the insurance policy with AFCO for Two Hundred Twenty Three Thousand Four Hundred Ninety Two Dollars and Forty-eight Cents (\$223,492.48), and

BE IT FURTHER RESOLVED, that the City of Rensselaer enter into a financial agreement with AFCO (see agreement attached hereto), and

BE IT FURTHER RESOLVED, that the Treasurer of the City of Rensselaer be authorized to execute said financial agreement.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

David J. Dwyer
Mayor

Resolution AFCO080713

#4

MARION WEBBER
JAMES VAN VORST
PHIL ELACQUA
GRETCHEN POOLE
DOMINICK TAGLIATO
BRIAN STALL
JAMES CASEY
RICHARD MOONEY
MARGARET VANDYKE
HARRY ADALIAN

AYES	NOES
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
Total	9 0

Total

By Alderperson : _____ Stall _____

Seconded by Alderperson : _____

A RESOLUTION SCHEDULING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PLACEMENT OF A STOP SIGN ON FIRST STREET AT THE INTERSECTIONS OF FIRST STREET AND TRACY STREET FACING NORTHBOUND TRAFFIC

#5

WHEREAS, there have been complaints about vehicles traveling at a high rate of speed on the block of the Housing Authority on First Street, just before the intersection of Tracy Street, and

WHEREAS, this particular block has a large number of children, including a deaf child, that are playing on the sidewalks, and

WHEREAS, a request has been made for a "Stop" sign on First Street, at the intersection of First and Tracy Street, facing northbound traffic.

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing concerning the adoption of an ordinance to place a "Stop" sign on First Street, at the intersection of First and Tracy Street, facing northbound traffic, be conducted by the Common Council on August 21, 2013, immediately following the public speaking portion of the Common Council meeting.

Approved as to form and sufficiency this 7th day of August 2013

Corporation Counsel

Approved by:

David J. Dwyer

Mayor

- MARION WEBBER
- JAMES VAN VORST
- PHIL ELACQUA
- GRETCHEN POOLE
- ~~DOMINICK TAGLIENZO~~
- BRIAN STALL
- JAMES CASEY
- RICHARD MOONEY
- MARGARET VANDYKE
- HARRY ADALIAN

DeFrancisco

AYES	NOES
✓	
✓	
✓	
✓	
✓	
✓	
✓	
Total	8 0

By Alderperson : Stall

Seconded by Alderperson : _____

A RESOLUTION TO ACCEPT PAYMENT TO COVER INTEREST AND RETURN CHECK CHARGES

#6
WHEREAS, on July 12, 2013, the City of Rensselaer accepted payment for John Nesler's water bill of Three Hundred Thirty Five Dollars and Fifty-three Cents (\$335.53) on Check No. 2070, and

WHEREAS, said check was returned NSF.

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer be authorized to accept Three Hundred ~~Thirty~~ ^{Sixty} Eight Dollars and Eighty Cents (\$368.80) to cover the interest and return check charges from Mr. Nesel if paid by August 15, 2013, and

BE IT FURTHER RESOLVED, that if paid after the date of August 15th, the city will process a correct city tax bill and charge the Two Hundred Fifty Dollar (\$250.00) relevy fee, along with the above fees of Three Hundred Thirty Eight Dollars and Eighty Cents (\$368.80).

Amend
✓✓✓✓✓✓✓✓

Approved as to form and sufficiency
this 7th day of August 2013

[Signature]

Corporation Counsel

Approved by:
[Signature]

Mayor

- MARION WEBBER
- JAMES VAN VORST
- PHIL ELACQUA
- GRETCHEN POOLE
- ~~DOMINICK TAGLIENITO~~
- BRIAN STALL
- JAMES CASEY
- RICHARD MOONEY
- MARGARET VANDYKE
- HARRY ADALIAN

DeFrancesco

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

By Alderperson : Van Vorst

Seconded by Alderperson : _____

A RESOLUTION TO REFUND MICHAEL STEWART RELEVY FEES

#7

WHEREAS, on July 25, 2013, Michael Stewart had three (3) water bills that have been relieved, and

WHEREAS, Mr. Stewart states he did not receive notice advising him of the last payment date of July 12th or the relevy charge of Two Hundred Fifty Dollars (\$250.00) for each of his properties.

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer be authorized to refund Mr. Stewart the relevy fees of Two Hundred Fifty Dollars (\$250.00) for each of his three (3) properties **providing that his tax bills are paid by the due date of August 30, 2013.**

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

David Ruyra

Mayor

DeFrancesco
MARION WEBBER
JAMES VAN VORST
PHIL ELACQUA
GRETCHEN POOLE
~~DOMINICK TAGLIENITO~~
BRIAN STALL
JAMES CASEY
RICHARD MOONEY
MARGARET VANDYKE
HARRY ADALIAN

	AYES	NOES
MARION WEBBER	✓	
JAMES VAN VORST	✓	
PHIL ELACQUA	✓	
GRETCHEN POOLE	✓	
DOMINICK TAGLIENITO	✓	
BRIAN STALL	✓	
JAMES CASEY	✓	
RICHARD MOONEY	✓	
MARGARET VANDYKE		
HARRY ADALIAN		
Total	8	0

Resolution repayment2_080713

By Alderperson : Council As A Whole

Seconded by Alderperson : _____

BOND RESOLUTION

#8
BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED AUGUST 7, 2013, AUTHORIZING THE UNDERTAKING OF A CERTAIN PROJECT CONSISTING OF THE REPLACEMENT OF WATER MAINS AND LINES IN THE WASHINGTON AVENUE AREA AND ON BROADWAY BETWEEN PINE AND JOHN STREETS, INCLUDING THE ACQUISITION AND RECONSTRUCTION OF WATER LINES, MAINS, VALVES AND APPURTENANCES THERETO AND THE RECONSTRUCTION OF ROADWAYS AND SIDEWALKS TO THE EXTENET REASONABLY NECESSARY TO PERMIT SUCH PROJECT, TOGETHER WTH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000.00), APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY TO FIANANCE SAID APPROPRIATION.

RECITALS:

WHEREAS, the Common Council of the City of Rensselaer, NY (the "City") has determined that undertaking a certain project (the "Project"), consisting of the replacement of water mains and lines in the Washington Avenue area and in Broadway between Pine and John Streets, including the acquisition and reconstruction of water lines, mains, valves and appurtenances thereto and the reconstruction of roadways and sidewalks to the extent reasonably necessary to permit such replacement, as more fully described in the Consultant Agreement by and between the City and Creighton Manning Engineering, LLP dated February 19, 2013, would be in the best interests of the City and its residents, and

WHEREAS, the City's Planning and Development Agency has determined that the acquisition and reconstruction of the Project is Type II Action under the provisions of the State Environmental Quality Review Act and the regulations issued pursuant thereto (collectively, "SEQRA"), a copy of such determination is attached hereto Exhibit A.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RENSSELAER AS FOLLOWS:

Section 1. The Recital set forth above is hereby incorporated in this place as

if set forth in full at this place.

Section 2. The Common Council hereby determines that the acquisition and reconstruction of the Project is a Type II Action within the meaning of SEQRA and no further action under SERQ is necessary. The City is hereby authorized to advertise for bids for, and to undertake the Project, including engaging engineering and other professionals with respect thereto and any and all previous action taken with respect thereto by any employee or elected official of the City is hereby ratified and confirmed.

Section 3. (a) The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is Two Million Four Hundred Thousand Dollars (\$2,400,000.00) and said amount is hereby appropriated for such purpose.

(b) To finance a portion of said appropriation, serial bonds of the City are hereby authorized to be issued in the aggregate principal amount of up to Two Million Four Hundred Thousand Dollars (\$2,400,000.00) pursuant to and in accordance with the provisions of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law").

Section 4. (a) The plan of financing the cost of the Project (including costs preliminary and incidental thereto) consists of issuing bonds and bond anticipation notes in the aggregate principal amount of up to Two Million Four Hundred Thousand Dollars (\$2,400,000.00). The City intends to apply for a loan or loans from the New York State Environmental Facilities Corporation ("EFC") to finance all or a portion of the costs of such acquisition and certain costs and fees of EFC relating to the loans or loans. The City may, although it is not obligated to do so, sell all or any portion of the bonds and/or notes authorized by this resolution to EFC as evidence of such loan or loans or may enter into other financing arrangements with EFC. The Mayor is hereby authorized to execute and deliver on behalf of the City such documents and instruments as EFC may require in order to obtain such loan or loans or other financing, including, without limitation, applications and a project financing and loan agreement or similar documents.

(b) The annual debt service on the bonds may (but need not) be substantially level or declining annual debt service as provided in Section 21.00 (d) of the Law.

Section 5. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific objects or purposes for which the bonds authorized by this resolution are to be issued is forty (40) years within the limitation of Sections 11.00(a)(1) of the Law.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bonds anticipation notes issued in anticipation thereof, pursuant to Section 107.00 (d)(9) of the Law.

(c) Pursuant to Section 34.00 of the Law, this resolution is not subject to a permissive referendum.

(d) The City, including any subordinate entity of the City (within the meaning of Section 265(b)(3)(E) of the Internal Revenue Code of 1986, as amended (the "Code")), reasonably does not expect to issue more than Ten Million

Dollars (\$10,000,000.00) of "qualified tax-exempt obligations" (as defined in Section 265 (b)(3) of the Code) during the 2013 calendar year.

(e) The bonds authorized by this resolution are not private activity bonds as defined in Section 141 of the Code.

(f) All of the proceeds of the bonds authorized by this resolution and any notes issued in anticipation of the sale of said bonds shall be used to undertake the Project and to pay costs incidental and preliminary thereto (including, without limitation, costs relating to the issuance of the bonds and any notes issued in anticipation of the issuance of said bonds).

Section 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law, shall be issued in fully registered form and shall be general obligations of the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of said bonds, and, to the extent other revenues are not available, provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, revised or otherwise created, is hereby authorized, ratified and confirmed, pursuant to, and subject to the restrictions of, Section 165.10 of the Law, for the Acquisition. As provided in Section 165.10 of the Law, the City intends to reimburse such funds from the proceeds of the bonds or notes authorized hereby. This resolution is a declaration of official intent under Section 1.150-2 of the Treasury Regulations issued pursuant to the Code.

Section 8. The City hereby covenants and agrees with the holders from time to time of the bonds authorized hereby, and any bond anticipation notes issued in anticipation thereof, that the City will duly and faithfully observe and comply with the provisions of the Code relating to actions which the City must take or cause to be taken to ensure the status of the interest on the bonds authorized hereby, and any notes issued in anticipation thereof, is excludable from gross income for federal income tax purposes.

Section 9. The Treasurer of the City is hereby authorized to designate as a "qualified tax-exempt obligation" pursuant to and within the meaning of Section 265(b) of the Code the bonds authorized hereby and any notes issued in anticipation thereof.

Section 10. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution or summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced

within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 11. The City Clerk is hereby authorize and directed to publish the foregoing bond resolution, or a summary thereof, in the official newspaper of the City, said bond resolution or summary to be published together with the City Clerk's statutory notice provided by Section 81.00 of the Law.

Section 12. This resolution shall take effect immediately.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

David J. Ruyter

Mayor

ResolutionBondWaterLine080713

	AYES	NOES
MARION WEBBER	✓	
JAMES VAN VORST	✓	
PHIL ELACQUA	✓	
GRETCHEN POOLE	✓	
DOMINICK TAGLIENTO	✓	
BRIAN STALL	✓	
JAMES CASEY	✓	
RICHARD MOONEY	✓	
MARGARET VANDYKE		
HARRY ADALIAN		
Total	8	0

John DeFrancesco

By Alderperson : Council As A Whole

Seconded by Alderperson : _____

BOND RESOLUTION

#9
BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED AUGUST 7, 2013, AUTHORIZING THE ACQUISITION OF A PARTIAL OWNERSHIP INTEREST IN CERTAIN IMPROVEMENTS TO THE JOINT WATER DISTRICT FACILITIES, STATING THE ESTIMATED MAXIMUM COST OF SAID ACQUISITION, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS FOUR MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$4,700,00000), APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION.

RECITALS:

WHEREAS, on or about October 28, 1964, the City of Rensselaer, NY (the "City") and the Town of East Greenbush, NY, on behalf of the East Greenbush Water District (the "Town"), entered into an Agreement of Municipal Cooperation for Construction, Financing and Operation of a Joint Water District (the "JWD Agreement"), and

WHEREAS, pursuant to the JWD Agreement, the City and the Town did construct, install, operate and maintain a water transmission and pump station located at Cross Street, City of Troy, Rensselaer County, New York and the water transmission lines owned by the City and the Town located in the right-of-way of New York State Route 4 (collectively, the "JWD Facilities", and

WHEREAS, on or about June 20, 2008, the Rensselaer County Water and Sewer Authority (the "Authority") issued its Water Service Agreement Revenue Bonds in the aggregate principal amount of Eight Million Five Thousand Dollars (\$8,005,000.00) (the "Bonds") for the purpose, among others, of acquiring and constructing improvements to the JWD Facilities (collectively, the "Improvements"), including, without limitation, the demolition of the existing water tank and the construction of two (2) new water tanks, and improvements to the distribution system, which Improvements are owned by the Authority, and

WHEREAS, on or about July 19, 2011, the City and the Town entered into a first amendment to the JWD Agreement which, among other things, reaffirmed the joint ownership of the JWD Facilities subject to the rights of the Authority, and

WHEREAS, the Common Council believes that it is in the best interests of the City and its residents to acquire a partial ownership interest in the Improvements from the Authority in an amount approximately equal to the City's percentage of joint ownership in the other JWD Facilities.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RENSSELAER AS FOLLOWS:

Section 1. The Recital set forth above is hereby incorporated in this place as if set forth in full at this place.

Section 2. The Common Council hereby determines that the acquisition of a partial ownership interest in the Improvements is a Type II Action within the meaning of SEQRA and no further action under SEQRA is necessary. The City is hereby authorized to advertise for bids for, and to undertake the acquisition of a partial ownership interest in the Improvements, including engaging engineering and other professionals with respect thereto and any and all previous action taken with respect thereto by any employee or elected official of the City is hereby ratified and confirmed.

Section 3. (a) The estimated maximum cost of acquiring such acquisition, including preliminary costs and costs incidental thereto and the financing thereof, is Four Million Seven Hundred Thousand Dollars (\$4,700,000.00) and said amount is hereby appropriated for such purpose.

(b) To finance a portion of said appropriation, serial bonds of the City are hereby authorized to be issued in the aggregate principal amount of up to Four Million Seven Hundred Thousand Dollars (\$4,700,000.00) pursuant to and in accordance with the provisions of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law").

Section 4. (a) The plan of financing the cost of the acquisition of a partial ownership in the Improvements (including costs preliminary and incidental thereto) consists of issuing bonds and bond anticipation notes in the aggregate principal amount of up to Four Million Seven Hundred Thousand Dollars (\$4,700,000.00). The City intends to apply for a loan or loans from the New York State Environmental Facilities Corporation ("EFC") to finance all or a portion of the costs of such acquisition and certain costs and fees of EFC relating to the loans or loans. The City may, although it is not obligated to do so, sell all or any portion of the bonds and/or notes authorized by this resolution to EFC as evidence of such loan or loans or may enter into other financing arrangements with EFC. The Mayor is hereby authorized to execute and deliver on behalf of the City such documents and instruments as EFC may require in order to obtain such loan or loans or other financing, including, without limitation, applications and a project financing and loan agreement or similar documents.

(b) The annual debt service on the bonds may (but need not) be substantially level or declining annual debt service as provided in Section 21.00 (d) of the Law.

Section 5. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific objects or purposes for which the bonds authorized by this resolution are to be issued is forty (40) years within the limitation of Sections 11.00(a)(1) of the Law.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bonds anticipation notes issued in anticipation thereof, pursuant to Section 107.00 (d)(9) of the Law.

(c) Pursuant to Section 34.00 of the Law, this resolution is not subject to a permissive referendum.

(d) The City, including any subordinate entity of the City (within the meaning of Section 265(b)(3)(E) of the Internal Revenue Code of 1986, as amended (the "Code"), reasonably does not expect to issue more than Ten Million Dollars (\$10,000,000.00) of "qualified tax-exempt obligations" (as defined in Section 265 (b)(3) of the Code) during the 2013 calendar year.

(e) The bonds authorized by this resolution are not private activity bonds as defined in Section 141 of the Code.

(f) All of the proceeds of the bonds authorized by this resolution and any notes issued in anticipation of the sale of said bonds shall be used to undertake the acquisition of a partial ownership interest in the Improvements and to pay costs incidental and preliminary thereto (including, without limitation, costs relating to the issuance of the bonds and any notes issued in anticipation of the issuance of said bonds).

Section 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law, shall be issued in fully registered form and shall be general obligations of the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of said bonds, and, to the extent other revenues are not available, provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, revised or otherwise created, is hereby authorized, ratified and confirmed, pursuant to, and subject to the restrictions of, Section 165.10 of the Law, for the Acquisition. As provided in Section 165.10 of the Law, the City intends to reimburse such funds from the proceeds of the bonds or notes authorized hereby. This resolution is a declaration of official intent under Section 1.150-2 of the Treasury Regulations issued pursuant to the Code.

Section 8. The City hereby covenants and agrees with the holders from time to time of the bonds authorized hereby, and any bond anticipation notes issued in anticipation thereof, that the City will duly and faithfully observe and comply with the provisions of the Code relating to actions which the City must take or cause to be taken to ensure the status of the interest on the bonds authorized hereby, and any notes issued in

anticipation thereof, is excludable from gross income for federal income tax purposes.

Section 9. The Treasurer of the City is hereby authorized to designate as a "qualified tax-exempt obligation" pursuant to and within the meaning of Section 265(b) of the Code the bonds authorized hereby and any notes issued anticipation thereof.

Section 10. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution or summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 11. The City Clerk is hereby authorize and directed to publish the foregoing bond resolution, or a summary thereof, in the official newspaper of the City, said bond resolution or summary to be published together with the City Clerk's statutory notice provided by Section 81.00 of the Law.

Section 12. This resolution shall take effect immediately.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

Daniel J. Quinn

Mayor

ResolutionBondWaterDist080713

	AYES	NOES
MARION WEBBER	✓	
JAMES VAN VORST	✓	
PHIL ELACQUA	✓	
GRETCHEN POOLE	✓	
DOMINICK TAGLIATO	✓	
BRIAN STALL	✓	
JAMES CASEY	✓	
RICHARD MOONEY	✓	
MARGARET VANDYKE		
HARRY ADALIAN		
Total	8	0

John DeFrancesco

pulled

By Alderperson : Van Vorst

Seconded by Alderperson : _____

A RESOLUTION ADOPTING A NEW BUILDING PERMIT FEE SCHEDULE

#10

WHEREAS, the City of Rensselaer is desirous of creating a new Building Permit Fee Schedule, and

WHEREAS, a copy of the Fee Schedule is annexed hereto.

NOW, THEREFORE BE IT RESOLVED, that the City of Rensselaer adopt a new Building Permit Fee Schedule in the form and substance of the annexed schedule.

Approved as to form and sufficiency
this 7th day of August 2013

Corporation Counsel

Approved by:

Mayor

ResolutionFeeSchedule080713

- MARION WEBBER
- JAMES VAN VORST
- PHIL ELACQUA
- GRETCHEN POOLE
- ~~DOMINICK TAGLIENITO~~
- BRIAN STALL
- JAMES CASEY
- RICHARD MOONEY
- MARGARET VANDYKE
- HARRY ADALIAN

	AYES	NOES
Total		

John DeFrancesco