



MAUREEN G. NARDACCI
City Clerk

CITY OF RENSSELAER

OFFICE OF
THE CITY CLERK

CITY HALL, 505 BROADWAY
RENSSELAER, NEW YORK 12144

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

AGENDA FOR THE COMMON COUNCIL NOVEMBER 3, 2004

1. A RESOLUTION AUTHORIZING THE LETTING OF BIDS FOR THE DEMOLITION OF 2020 EIGHTH STREET, RENSSELAER, NEW YORK.
2. BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED NOVEMBER 3, 2004, STATING THE ESTIMATED MAXIMUM COST OF THE ACQUISITION OF TWO (2) POLICE VEHICLES, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS FIFTY THOUSAND DOLLARS (\$50,000.00), APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF UP TO FIFTY THOUSAND DOLLARS (\$50,000.00) SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION.
3. RESOLUTION ADOPTED NOVEMBER 3, 2004 AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE OF THE CITY OF RENSSELAER IN THE AMOUNT OF ONE HUNDRED THREE THOUSAND TWO HUNDRED SIXTY DOLLARS AND SEVENTY TWO CENTS (\$103,262.72) ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY FOR THE PURPOSE OF UNDERTAKING A CERTAIN PROJECT CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS, STORM SEWERS, SIDEWALKS AND APPURTENANCES THERETO IN THE SECOND AVENUE CORRIDOR, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO.
4. A RESOLUTION AUTHORIZING POLICE DEPARTMENT TO DISPOSE OF BICYCLES IN BASEMENT OF CITY HALL.
5. A RESOLUTION DIRECTING THE MAYOR TO CANCEL WRIGHT EXPRESS GASOLINE CARDS.
6. A RESOLUTION AUTHORIZING THE CITY CLERK TO PUBLISH A "REQUEST FOR PROPOSALS" FOR CONSTRUCTION OF A NEW BUILDING ENCLOSURE TO BE LOCATED ON PARTITION STREET, RENSSELAER, NEW YORK, AT THE JAMES HILL HOOK AND LADDER.
7. A RESOLUTION AUTHORIZING DISPOSAL OF CITY OWNED VEHICLE.
8. A RESOLUTION INCREASING THE SALARY OF THE DEPUTY CHIEF OF POLICE FOR THE CITY OF RENSSELAER, NEW YORK.
9. A RESOLUTION RATIFYING PILOT AGREEMENT, COMMUNITY BETTERMENT AGREEMENT AND LEASE AGREEMENT WITH THE FRANCISCAN COMMUNITY SERVICE CORPORATION ("Franciscans").
10. A RESOLUTION RATIFYING LEASE WITH THE COUNTY OF RENSSELAER FOR 62 WASHINGTON STREET, RENSSELAER, NEW YORK.

**CITY OF RENSSELAER
COMMON COUNCIL MEETING
WEDNESDAY EVENING
REGULAR MEETING
NOVEMBER 3, 2004**

THE COUNCIL CONVENED AT 8:30 PM AND WAS CALLED TO ORDER BY PRESIDENT BRIDGEFORD.

THE ROLL BEING CALLED THE FOLLOWING ANSWERED TO THEIR NAMES:

ALDERPERSON:	HAHN	TAGLIENTO
	FELTS	ROGERS
	JIGUERE	GIRGENTI
	BRIDENBECK	JACKSON

ABSENT: ALDERPERSON STALL.

ALDERPERSON GIRGENTI, MOVED THAT THE MINUTES BE ADOPTED AS PRINTED, SUBJECT TO CORRECTIONS, SECONDED BY ALDERPERSON TAGLIENTO.

COMMUNICATIONS: NONE

CLAIMS: NONE

BIDS: NONE

A MOTION WAS MADE BY ALDERPERSON GIRGENTI TO ADJOURN AT 8:55 PM SECONDED BY ALDERPERSON FELTS.

AYES: HAHN, FELTS, JIGUERE, BRIDENBECK, TAGLIENTO, ROGERS, GIRGENTI, AND JACKSON.

NOES: NONE. THE PRESIDENT DECLARED THIS MOTION DULY ADOPTED.

NEXT MEETING: NOVEMBER 17, 2004

CITY OF RENSSELAER, COMMON COUNCIL MEETING

November 3, 2004

Aldersperson moved that all bills and payrolls be referred to the Auditing Committee. The City Clerk reports that the bills and payrolls amounted to:

Buganti Budenbush

BILLS ENCUMBERED THROUGH:	10/22/2004	##	11/3/2004
Bills Pd. Prior to Board Audit			867,181.61
General City Bills 04/05	58,917.72	#	38,125.16
General City Bills 03/04			
Water-Paid Prior to Board Audit			
Water Department Bills 04/05	20,396.63	#	4,081.51
Water Department Bills 03/04			
Solid Waste Bills 04/05	913.29	#	-
Solid Waste Bills 03/04			
S.W. Bills paid prior to Board Audit			
Library-Bills paid Prior to Board Audit			
Library-04/05	2,012.53	#	-
Library-03/04			
Community Development Block Grant-Rental Rehab Program	-	#	-
Home Program	-	#	-
<i>ELECTION</i>	-	#	<i>6,766.98</i>
TOTAL	82,240.17	#	<i>916,155.26</i>
PAYROLL DATES	10/22/2004	##	11/3/2004
Library Payroll	\$1,562.52	#	\$1,562.52
Common Council Payroll	\$2,616.51	#	\$2,616.51
General City Payroll	\$13,329.61	#	\$13,329.11
Snow removal overtime	\$0.00	#	\$0.00
Planning & Development Payroll	\$7,198.04	#	\$7,967.27
Fire Department Payroll	\$17,130.87	#	\$17,104.81
Fire Department Overtime(inc. Kelly days)	\$4,262.81	#	\$7,314.16
Fire Department Holiday Pay	\$0.00	#	\$0.00
Police Department Payroll	\$33,862.87	#	\$30,518.32
Police Department Overtime	\$13,497.88	#	\$13,754.46
Sting Reimbursement	\$0.00	#	\$0.00
DWI Reimbursement	\$0.00	#	\$0.00
Seatbelt Reimbursement	\$0.00	#	\$0.00
Court Reimbursement	\$587.94	#	\$676.88
Traffic	\$478.68	#	\$0.00
Buckle Up NY Re-Imbursement	\$0.00	#	\$0.00
Police Dispatcher & Clerk Payroll	\$6,488.04	#	\$6,488.04
Health Officer	\$192.31	#	\$192.31
Animal Control Officer	\$525.00	#	\$525.00
Crossing Guard Payroll	\$482.52	#	\$327.76
Sick Leave Incentive Pay	\$0.00	#	\$0.00
Retirement Buyout	\$0.00	#	\$13,172.62
Police Department Holiday Pay	\$0.00	#	\$0.00
Public Works Administration Payroll	\$2,032.60	#	\$2,032.60
Public Works Maintenance Payroll	\$25,792.59	#	\$25,792.59
Public Works Overtime	\$767.35	#	\$1,260.83
Clothing Allowance	\$0.00	#	\$0.00
Water Department Administration Payroll	\$2,484.41	#	\$2,484.41
Water Department Maintenance Payroll	\$5,490.51	#	\$5,490.51
Water Department Overtime	\$197.06	#	\$356.60
Clothing Allowance	\$0.00	#	\$0.00
Solid Waste Administration Payroll	\$227.04	#	\$227.04
Solid Waste Maintenance Payroll	\$7,971.28	#	\$7,829.86
Solid Waste Overtime	\$254.41	#	\$70.88
Clothing Allowance	\$0.00	#	\$0.00
Vacation Buyout	\$0.00	#	\$0.00
TOTAL	\$147,432.85	#	161,095.09

I hereby certify that the above claims were duly audited and ordered paid at a meeting of the Common Council held on this date: NOVEMBER 3 2004

City Clerk, Maureen Nardacci

TO THE TREASURER OF THE CITY OF RENSSELAER, NY:

Pay to the claimants named herein the amounts of the claims set opposite their respective names, and charge to the funds specified, and this shall be your warrant.

Mayor, Mark Pratt

1

By Alderperson : Girgenti

Seconded by Alderperson : Council as a whole

A RESOLUTION AUTHORIZING THE LETTING OF BIDS FOR THE DEMOLITION OF 2020 EIGHTH STREET, RENSSELAER, NEW YORK

WHEREAS, the City of Rensselaer has determined that there exists an imminent and dangerous condition at 2020 Eighth Street, Rensselaer, New York, and

WHEREAS, 2020 Eighth Street should be demolished as soon as possible.

NOW, THEREFORE, BE IT RESOLVED that the City of Rensselaer authorizes the letting of bids to contractors for the demolition of 2020 Eighth Street and,

BE IT FURTHER RESOLVED, that the City Clerk of the City of Rensselaer immediately publish requests for bids for the demolition of said property.

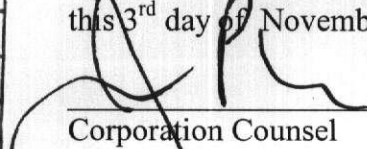
NOW, THEREFORE, BE IT RESOLVED, that all bids are due in the Office of the City Clerk no later than 3:00 p.m. on November 17, 2004 and will be opened and read aloud at a regular meeting of the Common Council to be held on Wednesday, November 17, 2004 at 8:00 p.m.

BE IT FURTHER RESOLVED, that the Common Council of the City of Rensselaer reserves the right to accept or reject any and all bids, to waive any informalities discovered therein, to re-advertise for new bids at its discretion and in case two (2) or more responsible bidders submit identical bids as to price, to award the contract to either of such bidders.


BE IT FURTHER RESOLVED, that the City Clerk advertise bids in the Times Union and The Record.

	AYES	NOES
BONNIE HAHN		✓
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENTO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDGEOFORD	✓	
Total	8	1

Approved as to form and sufficiency this 3rd day of November 2004



Corporation Counsel

Approved by:


Mayor

D. Wade Stockman
1515 Best Road
Rensselaer, New York 12144

--- Professional Engineer ---
***** wstockman@aol.com *****

Mechanical/Structural
Construction Consultation
518-286-3877 fax 283-3600

September 17, 2004
Street

Re: 2020 Eighth Street

Dan Moore, Building Inspector
City of Rensselaer
City Hall, Broadway
Rensselaer, New York 12144 o 462-5489 cel 858-1811

Report of inspection of building at 2020 Eighth Street, Rensselaer, for evaluation relative to the Unsafe Building Law, Title 85-1. Date of inspection, Sept 17, 2004. The engineer let himself into the house.

General --

The building is in excess of 100 years old, of wood frame construction, very small, one and a half story, with several add-ons, gabled and flat roofs, and brick foundation above grade. The basement was inaccessible because of unsafe access from outside and interior access blocked with debris. The building is unoccupied. The building has not been maintained for many years. The city owns the property.

Condition of Building --

Exterior --

The roof is deteriorated and leaking.

Windows are broken and missing leaving the building accessible to vandals, vermin, moisture and decay.

The rear steps and porch are collapsed from decay.

The yard is overgrown with weeds and cluttered with trash.

The siding is of extreme age, is deteriorated and missing in areas, allowing entrance of moisture and the elements.

Interior --

Roof leakage has caused collapse of ceiling and wall board.

Stairway clearance and ceiling heights are below code standards making renovation unfeasible.

Wall and ceiling material is non-fire rated.

Damage to walls and ceilings is extensive, making the house unlivable.

The entire house is cluttered with debris causing an health and fire hazard.

Conclusions --

2020 Eighth Street --

2

The building is generally unsafe, a health hazard, a fire hazard, and open to vandals, vermin, disease and decay.

The building is within a few feet of the adjacent residences thereby jeopardizing these structures.

The general condition of the building is derelict, unsightly, a nuisance to the neighborhood and is depressing property values in the neighborhood and in the city.

The condition of this building must be addressed immediately in the interest of public safety.

Rehabilitation of the building for owner or rental occupancy is impractical because of the extent of the work and the small size of the present structure.

It has been established in recent investigations by the city that houses in this condition are not economically feasible to repair or salvage in any way.

The building is a burden to the owner and the community.

Recommendations --

In accordance with the "Unsafe Building Law," and economic feasibility studies, it is recommended that the building be demolished immediately.

If there is any question, please call me.



Testwell Laboratories, Inc.
Construction & Environmental Services

Testwell Laboratories, Inc.
24 Colvin Avenue
Albany, New York 12206

Phone 518 454 9500
Fax 518 454 9575
Email Testwelllabs.com

Asbestos Limited Demolition Survey Plan

Performed for:
The City of Rensselaer
505 Broadway
Rensselaer, New York 12144-2696

Performed at:
2020 8th Street
Rensselaer, New York

TLI Project number: D-359
Project report date: August 23, of 2004

Testwell Laboratories, Inc.
24 Colvin Avenue
Albany, New York 12206

Phone: (518) 454-9500
Fax: (518) 454-9575

Project: D-359

Sampling Date: 8/5/04

Client: The City of Rensselaer
505 Broadway
Rensselaer, New York 12144-2696

Inspector: Sean Hamilton

Site: 2020 8th Street Rensselaer, New York

Analyst: J. Hebert

Field Number	Log Number	Sample Location	Material Sample	Analysis
011	1468B	1 st Floor Living Room	Ceiling Plaster	Cellulose 10.0% Min Wool 5.0% Horse Hair 1.0% Quartz 15.0% Binder 69.0% N.A.D.
012	1469B	1 st Floor Living Room	Wall Plaster	Cellulose 5.0% Min Wool 10.0% Quartz 45.0% Calcite 25.0% Binder 15.0% N.A.D.
013	1470B	1 st Floor Kitchen	Wall Covering	Cellulose 10.0% Quartz 25.0% Calcite 35.0% Binder 30.0% N.A.D.
014	1471B 4238	1 st Floor Bathroom	Tan 12" Floor Tile (Peel & Stick)	Negative by PLM/NOB Negative by NOB/TEM N.A.D.

Approved Signatory

Certifications: (*) ELAP NYS DOH # 10871 (*) NVLAP NUMBER 1102

COMMENTS: N.A.F.D. - Means non-asbestos fibers detected. N.A.D. - Means no asbestos detected.

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* Polarized-Light Microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

Page 3 of 4

Testwell Laboratories, Inc.
24 Colvin Avenue
Albany, New York 12206

Phone: (518) 454-9500
Fax: (518) 454-9575

Project: D-359

Sampling Date: 8/5/04

Client: The City of Rensselaer
505 Broadway
Rensselaer, New York 12144-2696

Inspector: Sean Hamilton

Site: 2020 8th Street Rensselaer, New York

Analyst: J. Hebert

Field Number	Log Number	Sample Location	Material Sample	Analysis
007	1464B	Basement	Pipe Wrap	Cellulose 25.0% Fiberglass 20.0% Ground Glass 20.0% Binder 35.0% N.A.D.
008	1465B	Basement	Chimney Packing	Cellulose 15.0% Fiberglass 10.0% Mica 15.0% Ground Glass 5.0% Calcite 10.0% Binder 45.0% N.A.D.
009	1466B	1 st Floor Kitchen	2x4 Ceiling Tile	Cellulose 50.0% Perlite 30.0% Binder 20.0% N.A.D.
010	1467B	1 st Floor Bathroom	1x1 Ceiling Tile	Cellulose 50.0% Min Wool 5.0% Perlite 20.0% Binder 25.0% N.A.D.

Approved Signatory

Certifications: (*) ELAP NYS DOH # 10871 (*) NVLAP NUMBER 1102

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24 Colvin Avenue
Albany, New York 12206

Phone: (518) 454-9500
Fax: (518) 454-9575

Project: D-359

Sampling Date: 8/5/04

Client: The City of Rensselaer
505 Broadway
Rensselaer, New York 12144-2696

Inspector: Sean Hamilton

Site: 2020 8th Street Rensselaer, New York

Analyst: J. Hebert

Field Number	Log Number	Sample Location	Material Sample	Analysis
001	1458B 4232	Exterior Roof	Roof Shingle	Negative by PLM/NOB Negative by NOB/TEM N.A.D.
002	1459B 4233	Exterior Roof	Vapor Barrier	Negative by PLM/NOB Negative by NOB/TEM N.A.D.
003	1460B 4234	Exterior Roof	Roof Mastic	Negative by PLM/NOB NOB/TEM Chrysotile 5.92%
004	1461B 4235	Exterior	Glass Block Sealant	Negative by PLM/NOB Negative by NOB/TEM N.A.D.
005	1462B 4236	Exterior	Window Glaze	Negative by PLM/NOB NOB/TEM Tremolite 1.7%
006	1463B 4237	Basement	Duct Caulk	Negative by PLM/NOB Negative by NOB/TEM N.A.D.

Approved Signatory

Certifications: (*) ELAP NYS DOH # 10871 (*) NVLAP NUMBER 1102

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Page 1 of 4

Appendix

B Asbestos Laboratory Analysis Data Sheets

Appendix

A

Asbestos Bulk Sample Locations

- All work areas may not be able to be abated simultaneously
- Electric power and water connections are by others
- Replacement and patching work has not been included

Removal is required, all material indicated in Section 5 of the report are Confirmed ACBM.

Cost Estimated for Asbestos Removals only	\$ 6,500.00
*Cost Estimated for Asbestos Project Monitoring & Sampling only	\$ 1,500.00
Total cost estimate for the project over all	\$ 8,000.00

Based on the amounts of materials in the building, notice is needed for NYS DOL Asbestos Bureau and EPA.

NOTE * Not hired by the contractor at all.

All prices reflected estimated amounts, dates and times; estimates could change with a known time frame.

As the Inspector/Management Planner responsible for development of this report, this report is only for a selected area: 2020 8th Street Rensselaer, New York.

Testwell Laboratories, Inc.

Brian K. McLaren

Brian K. McLaren
Project Manager

This criteria encompasses the requirements of ISO/IEC Guide 25 and relevant requirements of ISO 9002 (ANSI/ASQC Q92-1987) as suppliers of calibration or test results. TLI's NVLAP accreditation number is 1102.

Section

5.0

Laboratory Test Results

Asbestos fibers were confirmed in the following materials:

Sample #	Location of samples	Material	Estimated Amount
003	Exterior	Roof Mastic	100sf(+/-)
005	Exterior	Window Glazing	25sf(+/-)
016	1 st Floor Kitchen	White 12" Floor Tile	165sf(+/-)

Section

6.0

Areas Not Accessible

TLI inspected materials in all area that were accessible to the inspector. Any materials that have not been clearly identified in this report as Asbestos Containing Building Materials must be assumed to be Asbestos Containing Building Materials until testing proves otherwise.

Section

7.0

Conclusion/Recommendations

Laboratory analysis confirms that asbestos fibers were detected in some of the materials collected at the site; removal is required for Confirmed ACBM.

All removal can take place under 12 NYCRR Part 56 or AV-119 Asbestos Roof Removals, AV-120 Flooring and mastic removals or site AV applied for through New York Department of Labor Engineering for the window glazing materials.

Section

8.0

Cost Estimate for Over All Project

The unit costs for asbestos abatement are based on projects of similar size, location, and complexity. The cost estimate is budgetary in nature, since there are many variables that will affect the final construction cost. Quantities were estimated based upon visual inspections and information provided by the Architect/Engineer.

The following assumptions were made

- Union labor or prevailing wage rate to be paid to workers
- Insurance, profit and overhead costs have been estimated and will vary among Contractors.

The inspection included Thermal System Insulation, Surfacing and Miscellaneous Material, in accordance with protocols contained in as per **12 NYCRR Part 56-1.9 Building Demolition survey and Asbestos Hazard Emergency Response Act of 1986 (40 CFR 763 AHERA)**.

The property is located in **Rensselaer, New York**; the property is **2020 8th Street Rensselaer, New York**.

The inspection included Thermal System Insulation, Surfacing and Miscellaneous Material, in accordance with protocols contained in as per **12 NYCRR Part 56-1.9 Building Demolition survey and Asbestos Hazard Emergency Response Act of 1986 (40 CFR 763 AHERA)**.

Section

4.0

Bulk Sampling of Suspect ACBM

Bulk sampling of suspect ACM was performed in accordance with protocols contained in **12 NYCRR part 56.9.1 and Asbestos Hazard Emergency Response Act of 1986 (40 CFR 763 AHERA)**. Unless otherwise noted, a minimum of one (1) to three (3) samples was collected from each type of homogeneous materials identified.

Samples were placed into leak-tight plastic sample containers, carefully noting as to location and material sampled, and stored for transport to the laboratory facility. A chain of custody and analysis request was initiated for all samples collected.

Samples were analyzed by Polarized Light Microscopy (PLM) in accordance with the Environmental Protection Agency's Interim Method for the Detection of Asbestos in Bulk Insulation Samples, (EPA-600/M4-82020, December 1982) and the McCrone Research Institute's The Asbestos Particle Atlas as method references.

Non-friable Organically Bound (NOB) samples were analyzed via gravimetric reduction. In general, these materials are flexible to rigid asphalt, vinyl or of an organic type matrix. This includes but is not limited to VAT, shingles, tar, rubber patch materials, carpet backing, etc.

The protocol requires that samples be analyzed by a gravimetric reduction method and that the samples are then subjected to a series of ashing and weighing prior to analysis. Once the NOB sample has been gravimetrically reduced, it can then be analyzed via Polarized Light Microscopy (PLM).

TLI is fully accredited by the New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) for compliance with laboratory guidelines, procedures and analytical proficiency samples in the analysis of Asbestos in Friable Materials and Asbestos in Non-friable Materials in accordance with Section 502 of the Public Health Laws of the State of New York.

TLI's ELAP approval numbers are 10871 and 11142. TLI is also fully accredited by the National Institute of Standards and Technology (NIST) for bulk sample analysis under the National Voluntary Laboratory Accreditation Program (NVLAP) for compliance with criteria established in Title 15, Part 285 Code of Federal Regulations.

Section

1.0

Executive Summary

A limited investigation of the site was performed on 8/5/04 by Sean Hamilton (TLI), NYSDOL/EPA Inspector Certification # 03-08220.

The TLI inspection was performed to identify asbestos content in suspect building's materials that will be disturbed during the proposed alteration and expansion of the of the 2020 8th Street Rensselaer, New York.

Bulk samples of suspect materials that will be impacted by these demolitions were collected for laboratory analysis to determine asbestos content, if any. These materials generally included Thermal System Insulation, Surfacing Material, and Miscellaneous Material.

A total of **seventeen (17)** bulk samples were collected during the site investigation at 2020 8th Street Rensselaer, New York.

Section

2.0

Purpose/Intent

Testwell Laboratories, Inc. (TLI), an engineering and consulting firm, was retained by The City of Rensselaer 505 Broadway Rensselaer, New York 12144-2696 to perform an limited asbestos inspection at 2020 8th Street Rensselaer, New York to allow the property owner to file for a work permit from the city or town.

The property at 2020 8th Street Rensselaer, New York is owned by The City of Rensselaer 505 Broadway Rensselaer, New York 12144-2696.

The inspection included Thermal System Insulation, Surfacing and Miscellaneous Material, in accordance with protocols contained in as per 12 NYCRR Part 56-1.9 Building Demolition survey and Asbestos Hazard Emergency Response Act of 1986 (40 CFR 763 AHERA).

Section

3.0

Inspections

A limited investigation of the site was performed on 8/5/04 by Sean Hamilton (TLI), NYS DOL/EPA Inspector Certification # 03-08220.

Based on the field inspection observations and sampling, review of planned renovation work, and laboratory results of the bulk sampling analysis, the asbestos containing materials (ACM) listed in Section 5 will be affected during the proposed alteration or renovation work.

Complete bulk sample laboratory analysis data sheets are attached in Appendix B of this report.

Table of Contents

<u>Section #</u>	<u>Subject</u>	<u>Pages</u>
1.0	Executive Summary	3
2.0	Purpose/Intent	3
3.0	Inspections	3
4.0	Bulk Sampling of Suspect ACM	4
5.0	Laboratory Test Results – Asbestos	5
6.0	Areas Not Accessible	5
7.0	Conclusion/Recommendations	5
8.0	Cost Estimate for Asbestos Removal	6
Appendix A	Asbestos Bulk Sample Locations	7
Appendix B	Asbestos Laboratory Analysis Data Sheets/Chain of Custody	8
Appendix C	Testwell Laboratories, Inc. Certifications	9

Appendix

C

Testwell Laboratories, Inc. Certifications

Testwell Laboratories, Inc.
24 Colvin Avenue
Albany, New York 12206

Phone: (518) 454-9500
Fax: (518) 454-9575

Project: D-359

Sampling Date: 8/5/04

Client: The City of Rensselaer
505 Broadway
Rensselaer, New York 12144-2696

Inspector: Sean Hamilton

Site: 2020 8th Street Rensselaer, New York

Analyst: J. Hebert

<u>Field Number</u>	<u>Log Number</u>	<u>Sample Location</u>	<u>Material Sample</u>	<u>Analysis</u>
015	1472B 4239	1 st Floor Bathroom	Blue 12" Floor Tile (Peel & Stick)	Negative by PLM/NOB Negative by NOB/TEM N.A.D.
016	1473B 4240	1 st Floor Kitchen	White 12" Floor Tile	Negative by PLM/NOB NOB/TEM Chrysotile 14.8%
017	1474B	2 nd Floor Ceiling	Fiberboard	Cellulose 75.0% Min Wool 10.0% Binder 15.0% N.A.D.

Approved Signatory

Certifications: (*) ELAP NYS DOH # 10871 (*) NVLAP NUMBER 1102

COMMENTS: N.A.F.D. - Means non-asbestos fibers detected. N.A.D. - Means no asbestos detected.

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2

By Alderperson

:

Council as a whole

Seconded by Alderperson

:

BOND RESOLUTION

BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED NOVEMBER 3, 2004, STATING THE ESTIMATED MAXIMUM COST OF THE ACQUISITION OF TWO (2) POLICE VEHICLES, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS FIFTY THOUSAND DOLLARS (\$50,000.00), APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF UP TO FIFTY THOUSAND DOLLARS (\$50,000.00) SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION.

WHEREAS, the Common Council (the "Common Council") of the City of Rensselaer, New York, (the "City") has, by resolution, adopted on October 6, 2004, previously authorized the acquisition of two (2) police vehicles, as more fully set forth in said resolution (the "Police Vehicles"), and

WHEREAS, the City has intended to pay for the cost of acquiring the Police Vehicles through the issuance of its tax-exempt obligations.

NOW, THEREFORE, BE IT RESOLVED by the Common Council as follows:

Section 1. (A) The estimated maximum cost of acquiring the Police Vehicles, including preliminary costs and costs incidental thereto and the financing thereof, is Fifty Thousand Dollars (\$50,000.00) and said amount is hereby appropriated therefore.

(B) To finance a portion of said appropriation, serial bonds of the City (in one or more series) are hereby authorized to be issued in the aggregate principal amount of Fifty Thousand Dollars (\$50,000.00) 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 2. The serial bonds may (but need not) be issued in the form of single bond, known as a statutory installment bond, in accordance with Section 62.10 of the Law. 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 3. The following additional matters are hereby determined and stated:

- (a) The Police Vehicles are replacing vehicles in the Police Department, which had been in service for at least one (1) year. Accordingly, the period of probable usefulness of the specific objects or purposes for which

the bonds authorized by this resolution are to be issued is three (3) year, within the limitation of Section 11.00(a)(77) 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 the Ten Million Dollars (\$10,000,000.00) of "qualified tax-exempt obligations" (as defined in Section 265 (b)(3) of the Code) during the 2004 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 pay for the acquisition of the Police Vehicles 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).
- (g) The acquisition of the Police Vehicles is a "Type II Action" within the meaning of the State Environmental Quality Review Act and the regulations issued thereunder (collectively, "SEQRA") and consequently no further action pursuant to SEQRA is required.

Section 4. 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 5. 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 objects or purposes described in Section 2 hereof. 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.

Section 6. 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 other bonds authorized hereby, and any notes issued in anticipation thereof, is excludable from federal income taxation.

Section 7. 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.

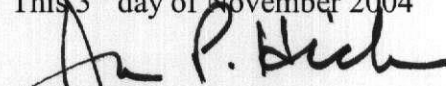
Section 8. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (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 (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. The City Clerk is hereby authorized and directed to publish the foregoing bond resolution, or a summary thereof, in The Troy Record, 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.

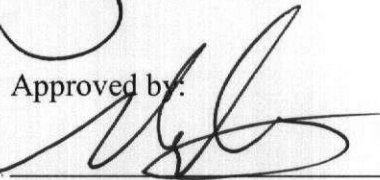
Section 10. This resolution shall take effect immediately.

Approved as to form and sufficiency
This 3rd day of November 2004



Corporation Counsel

Approved by:



Mayor

	AYES	NOES
LONNIE HAHN	✓	
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENITO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDGEFORD	✓	
Total	9	0

3

By Alderperson

:

Council as a whole

Seconded by Alderperson

:

BOND ANTICIPATION NOTE RESOLUTION

RESOLUTION ADOPTED NOVEMBER 3, 2004 AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE OF THE CITY OF RENSSELAER IN THE AMOUNT OF ONE HUNDRED THREE THOUSAND TWO HUNDRED SIXTY TWO DOLLARS AND SEVENTY TWO CENTS (\$103,262.72) ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY FOR THE PURPOSE OF UNDERTAKING A CERTAIN PROJECT CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS, STORM SEWERS, SIDEWALKS AND APPURTENANCES THERETO IN THE SECOND AVENUE CORRIDOR, TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO.

WHEREAS, the Common Council OF THE city of Rensselaer has heretofore adopted a bond resolution entitled "BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED OCTOBER 1, 2003, AUTHORIZING THE UNDERTAKING OF A CERTAIN PROJECT CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS, STORM SEWERS, SIDEWALKS AND APPURTENANCES THERETO, IN THE SECOND AVENUE CORRIDOR, STATING THE ESTIMATED MAXIMUM COST OF SAID PROJECT TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000.00), APPROPRIATING SAID SUM THEREFORE AND AUTHORIZING THE ISSUANCE OF UP TO TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000.00) SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION" (the "Bond Resolution"), and

WHEREAS, in accordance with the Bond Resolution, the Common Council of the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of Two Hundred Seventy Five Thousand Dollars (\$275,000.00) (the "Prior Note") which matures November 12, 2004 for the purposes set forth in the Bond Resolution, and

WHEREAS, the Common Council desires to provide for the renewal, in part, of the Prior Note by the issuance of a bond anticipation renewal note in the amount of One Hundred Three Thousand Two Hundred Sixty Two Dollars and Seventy Two Cents (\$103,262.72) (with One Hundred Seventy One Thousand Seven Hundred Thirty Seven Dollars and Twenty Eight Cents (\$171,737.28) of the principal of the Prior Note being paid from sources other than the proceeds of the bonds or notes),

NOW, THEREFORE, BE IT RESOLVED by the Common Council as follows:

Section 1. There is hereby authorized to be issued and there shall be issued pursuant to the Bond Resolution and the Resolution one (1) bond anticipation note in the amount of One Hundred Three Thousand Two Hundred Sixty Two Dollars and Seventy Two Cents (\$103,262.72) (the "Note") by the City of Rensselaer for the purpose of renewing, in part, the Prior Note. The sum of One Hundred Seventy One Thousand Seven Hundred Thirty Seven Dollars and Twenty Eight Cents (\$171,737.28) in principal of the Prior Note is being paid from sources other than the proceeds of bonds or notes.

Section 2. The Note shall be issued in the name of the City by the Mayor and the Treasurer and attested by the City Clerk with the seal of the City.

Section 3. The Note shall be issued and dated on or about November 12, 2004 and shall mature no later than November 11, 2005. The Note may be combined with other notes of the City for the purposes of sale.

Section 4. The Treasurer of the City is hereby authorized and directed to proceed with the sale of the Note at private sale for not less than par plus accrued interest (if any) at a rate in accordance with the Local Finance Law of the State of New York, as amended, at such time as the Treasurer shall determine. The Treasurer is hereby authorized to determine all matters in relation to the Note not specifically determined by this Resolution.

Section 5. The full faith and credit of the City are hereby pledged for the punctual payment of the principal of and interest on the Note.

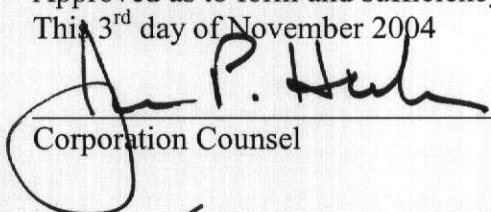
Section 6. The Note is issued in anticipation of bonds for an assessable improvement. No other notes or bonds (other than the Prior Note) have been issued pursuant to the Bond Resolution or are still outstanding. The Note is a renewal note.

Section 7. The Notes shall be designated by the City Treasurer as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265 (b)(3)(D) of the Internal Revenue Code of 1986, as amended.

Section 8. This resolution shall be dated November 3, 2004 and shall take effect immediately.

	AYES	NOES
BONNIE HAHN	✓	
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENTO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDGEFORD	✓	
Total	9	0

Approved as to form and sufficiency
This 3rd day of November 2004


Corporation Counsel

Approved by:


Mayor

#4

By Alderperson : Hahn

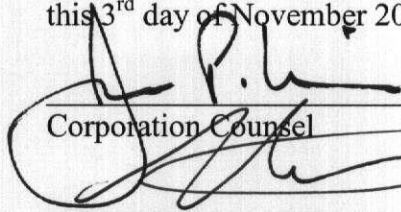
Seconded by Alderperson : Council as a whole

A RESOLUTION AUTHORIZING POLICE DEPARTMENT TO DISPOSE OF BICYCLES IN BASEMENT OF CITY HALL

WHEREAS, the City of Rensselaer has accumulated numerous abandoned and found bicycles and stored said bicycles in the basement of City Hall.

NOW, THEREFORE BE IT RESOLVED, that the Police Department is hereby authorized to transfer said bicycles to the New York State Department of Corrections for repair purposes and said repaired bicycles shall be returned to the City of Rensselaer.

Approved in form and sufficiency this 3rd day of November 2004



Corporation Counsel



Mayor

ResolutionRPDbikes110304

	AYES	NOES
BONNIE HAHN	✓	
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENTO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDCFORD	✓	
Total	9	0

5

By Alderperson : Hahn

Seconded by Alderperson : Council as a whole

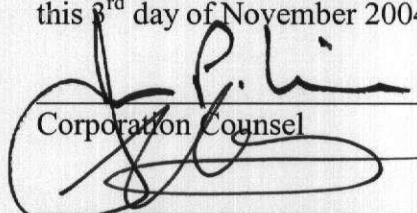
A RESOLUTION DIRECTING THE MAYOR TO CANCEL WRIGHT EXPRESS GASOLINE CARDS

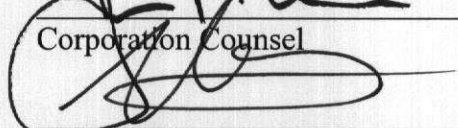
WHEREAS, the City of Rensselaer is desirous of terminating the use of gasoline credit cards for City employees, and

WHEREAS, the City of Rensselaer deems it appropriate to cancel said credit cards for fiscally sound reasons.

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Rensselaer and the City Treasurer cancel said credit cards immediately.

Approved in form and sufficiency
this 3rd day of November 2004



Corporation Counsel


Mayor

Resolutionwright110304

	AYES	NOES
BONNIE HAHN	✓	
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENTO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDGEFORD	✓	
Total	9	0

#6

By Alderperson : Bridenbeck

Seconded by Alderperson : Hahn Jiguere

A RESOLUTION AUTHORIZING THE CITY CLERK TO PUBLISH A "REQUEST FOR PROPOSALS" FOR CONSTRUCTION OF A NEW BUILDING ENCLOSURE TO BE LOCATED ON PARTITION STREET, RENSSELAER, NEW YORK, AT THE JAMES HILL HOOK AND LADDER

WHEREAS, the City of Rensselaer is requesting cost proposals for construction of a new building enclosure to be located on Partition Street at the James Hill Hook and Ladder, and

WHEREAS, the scope of work involves a separate structure adjacent to the existing firehouse that will house a new ladder truck, and

WHEREAS, the City Fire Chief has prepared a list of basic but specific items that should be included in the new enclosure, and

WHEREAS, the City owns the proposed building site and the City's intent is to construct an economical enclosure to meet its basic need of protection from weather conditions.

NOW THEREFORE BE IT RESOLVED, that the City Clerk is hereby authorized to advertise in the Times Union and the Troy Record a "request for proposals" for construction of a new building enclosure to be built.

Approved as to form and sufficiency
this 20th day of October 2004

[Signature]
Corporation Counsel

Approved by:
[Signature]
Mayor

	AYES	NOES
BONNIE HAHN	✓	
ALBERTINE FELTS		✓
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINCK TAGLIENTO		✓
BRIAN STALL		
SCOTT ROGERS	●	✓
DEBORAH GIRGENTI		✓
PATRICIA JACKSON	✓	
MICHAEL BRIDGEFORD	✓	
Total	5	4

#7 By Alderperson : Hahn

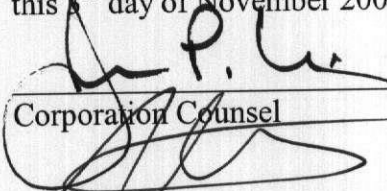
Seconded by Alderperson : Rogers

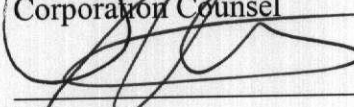
A RESOLUTION AUTHORIZING DISPOSAL OF CITY OWNED VEHICLE

WHEREAS, the City of Rensselaer owns a 1989 Dodge Pickup, which the Department of Public Works deems worthless (see Kosinski letter annexed hereto).

NOW, THEREFORE BE IT RESOLVED, that the Department of Public Works is authorized to dispose of said vehicle in the manner it deems fit.

Approved in form and sufficiency
this 8rd day of November 2004



Corporation Counsel


Mayor

ResolutionDPWvehicle110304

	AYES	NOES
JOHNIE HAHN	✓	
ALBERTINE FELTS	✓	
BRENDA JIGUERE	✓	
LEE BRIDENBECK	✓	
DOMINICK TAGLIENTO	✓	
BRIAN STALL		
SCOTT ROGERS	✓	
DEBORAH GIRGENTI	✓	
PATRICIA JACKSON	✓	
MICHAEL BRIDGEFORD	✓	
Total	9	0



COMMISSIONER

CITY OF RENSSELAER

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE SERVICE
CITY HALL, 505 BROADWAY
RENSSELAER, NEW YORK 12144

(518) 462-9617
Fax: (518) 462-3522

TO: COMMAN COUNSIL
FROM: ED KOSINSKI, COMMISSIONER
DATE: OCTOBER 27, 2004
RE: RESOLUTION

WOULD YOU PLEASE PUT ON THE AGENDA FOR THE NEXT MEETING A RESOLUTION TO DISPOSE OF A 1989 DODGE PICK-UP VIN# 187HMI6Y9KS164025.

THE VEHICAL IS JUNK, IT WAS SOLD AT LAST AUCTION ON APRIL 7, 2004 FOR \$ 74.34 THE PERSON THAT BID ON IT NEVER RETURNED TO PICK IT UP. WE TRIED TO CONTRACT THE PERSON WHO WON THE BID BUT COULD NOT REACH HIM.

WE WANT TO DISPOSE OF THIS VEHICAL.

ED KOSINSKI

Tabled

9

By Alderperson : Jackson

Seconded by Alderperson : _____

**A RESOLUTION RATIFYING PILOT AGREEMENT,
COMMUNITY BETTERMENT AGREEMENT AND LEASE
AGREEMENT WITH THE FRANCISCAN COMMUNITY SERVICE
CORPORATION ("FRANCISCANS")**

WHEREAS, the City of Rensselaer and the Franciscans are desirous of finalizing and codifying their mutual agreements regarding a Pilot Agreement, a Community Betterment Agreement and the Fair Housing Lease, all agreements being annexed hereto.

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Rensselaer is authorized to execute all of the annexed agreements on behalf of the City of Rensselaer.

Approved as to form and sufficiency
this 3rd day of November 2004

[Signature]

Corporation Counsel

Approved by:

Mayor

	AYES	NOES
BONNIE MAHN		
ALBERTINE FELTS		
BRENDA JIGUERE		
LEE BRIDENBECK		
DOMINCK TAGLIENTO		
BRIAN STALL		
SCOTT ROGERS		
DEBORAH GIRGENTI		
PATRICIA JACKSON		
MICHAEL BRIDGEFORD		
Total		

Tabled

#10

By Alderperson : Hahn

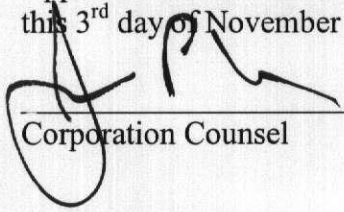
Seconded by Alderperson : _____

**A RESOLUTION RATIFYING LEASE WITH THE
COUNTY OF RENSSELAER FOR 62 WASHINGTON
STREET, RENSSELAER, NEW YORK**

WHEREAS, the City of Rensselaer and the County of Rensselaer are desirous of entering into a lease agreement for space at 62 Washington Street, Rensselaer, New York, pursuant to the Lease Agreement annexed hereto.

BE IT FURTHER RESOLVED, that the Mayor of the City of Rensselaer be authorized, subject to approval of the Corporation Counsel to execute said Lease Agreement.

Approved in form and sufficiency
this 3rd day of November 2004



Corporation Counsel

Mayor

Resolutioncountylease110304

	AYES	NOES
BONNIE HAHN		
ALBERTINE FELTS		
BRENDA JIGUERE		
LEE BRIDENBECK		
DOMINCK TAGLIENTO		
BRIAN STALL		
SCOTT ROGERS		
DEBORAH GIRGENTI		
PATRICIA JACKSON		
MICHAEL BRIDGEFORD		
Total		

LEASE AGREEMENT

MADE this day of , 2004, by and between THE CITY OF RENSSELAER, NEW YORK, a municipal corporation organized and existing under the laws of the State of New York, having its offices and principal place of business located at 505 Broadway in the City and County of Rensselaer, New York, (hereinafter referred to as "Lessor") and THE COUNTY OF RENSSELAER, NEW YORK, a municipal corporation organized under the laws of the State of New York, having its offices and principal place of business at the Ned Pattison Rensselaer County Government Center, 1600 Seventh Avenue, Troy, New York (hereinafter referred to as "Lessee").

WITNESSETH:

1. That the Lessor agrees to let, and hereby does let to the Lessee and the Lessee agrees to use and hereby does use the premises which are currently designated as upstairs Rooms 28, 29, 30 and 31 within the now or former Rensselaer Community Center located at 62 Washington Street, City of Rensselaer with the privileges and appurtenances for and during the term of this agreement. It is contemplated that in addition to these premises, the Lessee and its invitees shall have the right to use the stairways, elevators and other common areas of the buildings to the extent necessary to gain access to the leased premises. It is also contemplated that the Lessee and its invitees shall be entitled to make full use of the rest room facilities within the building, as well as a minimum of ten (10) parking spaces in the parking lot located at the south side of 62 Washington Street and on the east side of such street. Lessee shall also

have reasonable access to the roof of the leased premises and any fuse box servicing the same for the purpose of periodic maintenance of the heating and ventilation system servicing such premises.

2. The term of this lease agreement by and between the parties shall be for a period of five (5) years, commencing as of November 1, 2004 and ending with the close of business on October 31, 2009.

3. The Lessee will faithfully pay to the Lessor for the use of said premises the monthly sums indicated in the following schedule:

\$6.50 p/sq.ft.	November, 2004 – October, 2005	\$1,687.83
\$6.75 p/sq.ft.	November, 2005 – October, 2006	\$1,752.75
\$7.00 p/sq.ft.	November, 2006 – October, 2007	\$1,817.67
\$7.25 p/sq.ft.	November, 2007 – October, 2008	\$1,882.58
\$7.50 p/sq.ft.	November, 2008 – October, 2009	\$1,947.50

Each of these monthly payments is due in advance on or before the first day of each month during the term of this Lease Agreement.

4. The Lessee shall have the irrevocable option to renew this Lease Agreement for an additional term of five (5) years, such option to be exercised upon written notice from the Lessee to the Lessor not less than thirty (30) days prior to the expiration of the original term of this Lease Agreement. Such renewal shall be upon the same terms and conditions as set forth in this Lease Agreement, except for the amount of the monthly lease payment to be made by the Lessee to the Lessor in connection with such renewal, which shall be as follows:

\$7.75 p/sq.ft.	November, 2009 – October, 2010	\$2,012.42
\$8.00 p/sq.ft.	November, 2010 – October, 2011	\$2,077.33
\$8.25 p/sq.ft.	November, 2011 – October, 2012	\$2,142.25
\$8.50 p/sq.ft.	November, 2012 – October, 2013	\$2,207.17
\$8.75 p/sq.ft.	November, 2013 – October, 2014	\$2,272.08

5. The Lessor shall pay for lights, water, electrical and rubbish removal services as well as for routine daily cleaning of the leased premises and general maintenance and repairs to the leased premises, common areas, rest room facilities and parking areas for the term of this Lease Agreement and any renewal hereof. The Lessee shall be responsible for major cleaning and carpet shampooing of the leased premises during such term(s).

6. The Lessee agrees not to make additional alterations or improvements to the leased premises without the prior written consent of the Lessor, which consent shall not be unreasonably withheld.

7. The Lessee shall at all times indemnify and save harmless the Lessor from and against any and all claims whatsoever, including costs, litigation expenses, counsel fees and any other liabilities in connection therewith and arising out of injury to or death of any person whatsoever or damage to any property of any kind caused or occasioned solely by the acts or omissions of the Lessee, its agents, servants or employees.

8. The Lessee shall maintain for the term of this Lease and any renewal hereof a liability insurance policy issued by a company licensed and authorized to do business in the State of New York, naming the Lessor as an additional party insured, which policy shall include a provision containing contract coverage insuring this hold harmless provision and which said liability policy shall be in an amount of coverage of not less than One Million Dollars (\$1,000,000.00) for any one injury, and Three Million Dollars (\$3,000,000.00) for any one occurrence, and not less than Seven Hundred Fifty

Thousand Dollars (\$750,000.00) for damages to property. Lessee agrees to furnish Lessor with a copy of a Certificate of Insurance confirming the above coverage.

9. Notwithstanding any other provision of this sub-lease to the contrary, the Lessee shall have the right to terminate this agreement and any renewal hereof upon ninety (90) day prior written notice to the Lessor, upon the failure of the Lessee to receive sufficient funding from the State of New York or the Rensselaer County Legislature. A determination of insufficient funding shall be within the sole and exclusive discretion of the Director of the Rensselaer County Department of Mental Health.

10. The Lessor may also, with due cause, upon the default on the part of the Lessee of any material provision of this Lease Agreement, terminate this Lease Agreement upon ninety (90) days prior written notice to the Lessee; provided, however, that Lessee shall have thirty (30) days following receipt of such notice to terminate from the Lessor to cure such default, in which case this lease Agreement shall not be deemed terminated.

11. It is understood and agreed by and between the parties that the premises are to be used by Lessee as a Mental Health Clinic. Accordingly, regular office hours may be scheduled until 7:00 each weekday in order to provide necessary services to the public and Lessor agrees to provide reasonable prior notice to the clinic director in the event of any building closure during such office hours. In addition, Lessor agrees to provide to the clinic director a set of building and office keys for access to the premises in the event of an after hours emergency. Lastly, in order to permit Lessee to obtain New

York State recertification of such clinic, Lessor agrees to provide Lessee, on an annual basis, proof of fire and safety inspections of the leased premises.

12. This Lease Agreement shall not be binding or effective unless and until it is approved by the Common Council of the City of Rensselaer and the Rensselaer County Legislature.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day, month and year written below or as noted above.

THE CITY OF RENSSELAER, NEW YORK

By: _____
Mark Pratt
Mayor

THE COUNTY OF RENSSELAER, NEW YORK

By: _____
Kathleen M. Jimino
Rensselaer County Executive

STATE OF NEW YORK)
COUNTY OF RENSSELAER) ss.:

On the ____ day of _____, 2004, before me, the undersigned, a notary public in and for said state, personally appeared

MARK PRATT, Mayor, City of Rensselaer, New York

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF RENSSELAER) ss.:

On the ____ day of _____, 2004, before me, the undersigned, a notary public in and for said state, personally appeared

KATHLEEN M. JIMINO, Rensselaer County Executive

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public