

CITY OF RENSSELAER
IN
COMMON COUNCIL
REGULAR MEETING
JUNE 5, 1996

The Council convened at 8:00 p.m. and was called to order by President Pro-Tem Lynn Ganance.

The roll being called the following answered to their names:

President Pro-Tem Ganance

Aldersperson: Hahn
DeJulio
Nardacci
Stammel

Aldersperson: Dellehunt
Fahrenkopf
Clark
Jackson

Aldersperson Jackson moved that the minutes be adopted as printed subject to corrections.

Clerk Nardacci reports that the Mayor has approved of all Resolutions passed at the last meeting.

Claims: Hilda Talentino Vs: The City of Rensselaer
Charles Carcraft VS. The City of Rensselaer

Petitions: None.

Committee Reports: Nardacci- - 4C Landfill
Jackson - - Neighborhood Association
DeJulio - - Ward 3 Garage Sale

President Pro-Tem Ganance moved that all bills and payrolls be referred to the Auditing Committee.

Executive Session was called.

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark, Jackson,
Ganance.

Noes: None.



MAUREEN G. NARDACCI
City Clerk

CITY OF RENSSELAER

OFFICE OF
THE CITY CLERK
RENSSELAER, N. Y.

Telephone: (518) 462-4266

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AGENDA FOR THE COMMON COUNCIL MEETING JUNE 5, 1996

1. A Resolution Exempting Certain Properties, or Parts Thereof, From Imposition of the Solid Waste Collection Fees.
2. A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget From the Contingency Fund to Single Audit Cost.
3. A Resolution Authorizing a Curb Lowering for William Hart of 1122 First Street.
4. A Resolution Authorizing a Curb Lowering for Michelle Johnson of 1120 Third Street.
5. A Resolution Designating the Polling Places for Primary Day, September 10, 1996 and Election Day, November 5, 1996.
6. A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget in the City Treasurer's Office.
7. A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget in the Department of Public Works.
8. A Resolution Authorizing the Transfer in Appropriation for the 1995-1996 Budget in the City Clerk's Office.
9. A Resolution Authorizing the Transfer in Appropriation for the 1995-1996 Budget in the City Clerk's Office (S.A.R.A. Grant).
10. A Resolution Authorizing the Transfer in Appropriation for the 1995-1996 Budget in the City Clerk's Office.
11. A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget in the Department of Public Works.
12. A Resolution Appointing Paul J. Goldman, Esq., of Segel, Goodman & Mazzotta, P.C., as Special Counsel to Represent the interests of the City in Tax Certiorari Proceedings commenced by B.A.S.F. Corporation, Against the City of Rensselaer for the Tax Year 1995.
13. A Resolution Authorizing the Mayor to enter into a Contract with City of Troy for the Purchase of Water.

Aldersperson Ganance moved that all bills and payrolls be referred to the Auditing Committee.

Clerk Nardacci reports that the City Bills, and Payrolls amounted to:

	May 17, 1996	May 31, 1996
City Bills:		\$28,527.40
Water Department Bills:		\$ 2,956.45
Solid Waste Bills:		\$25,198.56
Community Development Block:		\$17,526.50
Payrolls:		
Animal Control Officer:	\$ 325.75	\$ 325.75
Common Council Payroll:	\$ 2,053.78	\$ 2,053.78
Crossing Guards Payroll:	\$ 547.23	\$ 547.23
General City Payroll:	\$11,237.02	\$13,723.02
Public Works Admin. Payroll:	\$ 2,142.83	\$ 2,142.83
Public Works Maintenance :	\$15,780.84	\$15,693.38
Public Works Overtime:	\$ 961.41	\$ 623.93
Fire Department Payroll:	\$14,351.73	\$14,322.33
Fire Department Overtime:	\$ 2,152.38	\$ 812.13
Police Department Payroll:	\$35,638.26	\$35,662.50
Police Department Overtime:	\$ 5,260.85	\$ 5,247.76
Police Department Reimbursement:	\$ 656.59	\$ 1,095.01
Police Dispatcher & Clerks:	\$ 4,940.87	\$ 4,940.87
Police Dispatcher & Clerks Overtime:	\$ 290.03	\$ 291.12
Water Department Admin. Payroll:	\$ 2,902.62	\$ 2,902.62
Water Department Maintenance:	\$ 2,996.23	\$ 3,034.42
Water Department Overtime:	\$ 847.56	\$ 774.23
Solid Waste Administration:	\$ 1,318.37	\$ 1,318.37
Solid Waste Maintenance:	\$ 4,541.81	\$ 4,101.23
Solid Waste Overtime:	\$ 330.18	\$ 31.12
Library Payroll:	\$ 1,644.63	\$ 1,644.63
Planning & Development Agency:	\$ 4,381.82	\$ 4,381.82

Aldersperson Fahrenkopf moved, seconded by Aldersperson Jackson that all bills and payrolls be allowed and ordered paid.

Ayes: DeJulio, Nardacci, Dellehunt, Fahrenkopf, Clark, Jackson, Ganance.

Noes: Hahn, Stammel

A Motion was made by Alderperson Hahn to adjourn at ^{9:25} p.m.
seconded by Alderperson Nardacci.

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark,
Jackson, Ganance.
NOES: None.

Next Meeting: June 19, 1996.

By Alderperson DeJulio

Seconded By Alderperson Fahrenkopf

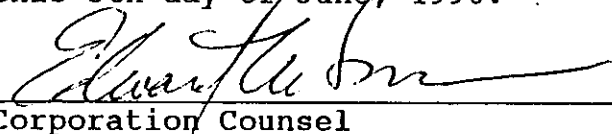
A RESOLUTION EXEMPTING
CERTAIN PROPERTIES, OR PARTS
THEREOF, FROM IMPOSITION OF
THE SOLID WASTE COLLECTION FEE.

WHEREAS pursuant to the provisions of Local Law No. 5 of 1990 and resolution No. 196 of 1990, this Council may exempt certain residential dwelling units from imposition of the Solid Waste Collection Fee, and

WHEREAS Certain property owners have made application for exemption from said Solid Waste Collection Fees,

NOW THEREFORE BE IT RESOLVED that those residential dwelling units identified in the schedule annexed hereto and made a part hereof are exempt from the imposition of the Solid Waste Collection Fee as provided in Local Law No. 5 of 1990.

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark, Jackson, Ganance.
Abstain: Hahn
Noes: None. The President declared this resolution duly adopted.

By Alderperson Dellehunt

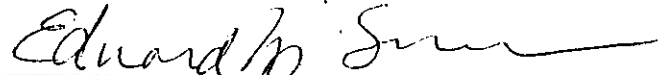
Seconded By Alderperson Jackson

A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

Resolved, that the City Treasurer is hereby authorized
to make the following transfers in appropriations for the
1995-1996 Budget:

From:	A1990-0	Contingency Fund	\$ 8,065.00
To:	A1320-4	Single Audit Cost	\$ 8,065.00

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark
Jackson, Ganance.

Noes: Stammel. The President declared this resolution duly adopted.

By Alderperson Stammel

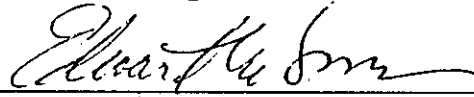
Seconded By Alderperson Dellehunt

RESOLUTION AUTHORIZING
CURB LOWERING

RESOLVED, that William Hart, being the owner of the premises known as 1122 First Street, be and he is hereby authorized under the direction and supervision of the Department of Public Works to lower so much of the Curb as may be necessary for driveway purposes.

This is a permit only, and revocable at the will of the Common Council.

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark
Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

By Alderperson Stammel

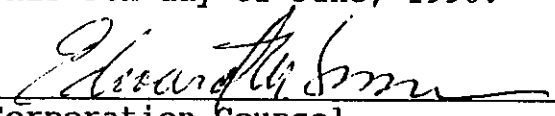
Seconded By Alderperson Dellehunt

RESOLUTION AUTHORIZING
CURB LOWERING

RESOLVED, that Michelle Johnson, being the owner of the premises known as 1120 Third Street, be and she is hereby authorized under the direction and supervision of the Department of Public Works to lower so much of the Curb as may be necessary for driveway purposes.

This is a permit only, and revocable at the will of the Common Council.

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf,
Clark, Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

By Alderperson Hahn

Seconded by Alderperson Nardacci

RESOLVED that the following are hereby designated as Polling places in the City of Rensselaer for the upcoming Primary Day, September 10, 1996, and Election Day, November 5, 1996:

- WARD ONE: RENSSELAER COMMUNITY CENTER
WASHINGTON STREET AND THIRD AVENUE
- WARD TWO: RENSSELAER COMMUNITY CENTER
WASHINGTON STREET AND THIRD AVENUE
- WARD THREE: ST. JOHN'S PARISH CENTER
50 HERRICK STREET
- WARD FOUR: RENSSELAER VOLUNTEER AMBULANCE
THIRD STREET AND HARRISON AVENUE
- WARD FIVE: CHURCH OF THE REDEEMER
THIRD AND CATHERINE STREETS
- WARD SIX: ST. JOSEPH'S-ST. JOHN'S ACADEMY
1641 THIRD STREET
- WARD SEVEN: VAN RENSSELAER HEIGHTS SENIOR
CITIZENS COMPLEX
FORBES AVENUE AND PATTEN AVENUE
- WARD EIGHT: ST. JOSEPH'S - ST. JOHN'S ACADEMY
1641 THIRD STREET
- WARD NINE: FIRST BAPTIST CHURCH
WASHINGTON AVENUE AND QUAY STREET

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf,
Clark, Jackson. Ganance.
Noes: None. The President declared this resolution duly adopted.

By Alderperson Jackson

Seconded By Alderperson Hahn

A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

Resolved, that the City Treasurer is hereby authorized
to make the following transfers in appropriations for the
1995-1996 Budget:

From:	A1325-4-07	Conference	\$150.00
To:	A1325-4-02	Postage and Envelopes	\$150.00

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark,
Jackson, Ganance.

Noes: None. The President declared this resolution Duly Adopted.

By Alderperson DeJulio

Seconded By Alderperson Clark

A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

Resolved, that the City Treasurer is hereby authorized
to make the following transfers in appropriations for the
1995-1996 Budget:

From:	A2770	Other Revenue	\$1,670.76
To:	A1620-4-08	Contract Repairs	\$1,670.76

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf,
Clark, Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

Sponsored by Alderperson Hahn

Seconded by Alderperson Fahrenkopf

**A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET**

Resolved, that the City Treasurer is hereby authorized to make the following transfers in appropriations for the 1995 - 1996 City Budget

FROM:	A1450-1-03	Inspectors	\$ 1420.75
	A1450-4-02	Supplies	926.57
			TOTAL \$2347.32
TO:	A1410-2-01	Purchase of Equipment	\$2347.32
			TOTAL \$2347.32

Approved as to form and sufficiency
this 5th day of June, 1996



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark
Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

Sponsored by Alderperson Hahn

Seconded by Alderperson Fahrenkopf

**A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET**

Resolved, that the City Treasurer is hereby authorized to make the following transfers in appropriations for the 1995 - 1996 City Budget

FROM: A1410-1-05 Employee Benefits \$ 1000.00
(S.A.R.A. grant)

TOTAL \$1000.00

TO: A1410-4-09 Supplies & Materials \$1000.00
(S.A.R.A. grant)

TOTAL \$1000.00

Approved as to form and sufficiency
this 5th day of June, 1996



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf,
Clark, Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

By Alderperson Hahn

Seconded By Alderperson Jackson

A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

Resolved, that the City Treasurer is hereby authorized to make the following transfers in appropriations for the 1995-1996 Budget:

From:	A1410-2-02	Maintenance	\$122.27
	A1410-2-03	Modem	150.00
	A1410-4-03	Stationery	448.00
	A1410-4-04	Books, Binding & Repair	313.10
		TOTAL	\$1,033.37
To:	A1410-2-01	Purchase of Equipment	\$1,033.37

Approved as to form and sufficiency this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark, Jackson, Ganance.
Noes: None. The President declared this resolution duly adopted.

By Alderperson Clark

Seconded By Alderperson Dellehunt

A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

Resolved, that the City Treasurer is hereby authorized
to make the following transfers in appropriations for the
1995-1996 Budget:

From:	A5142-4-01	Rental of Equipment	\$2,000.00
To:	A5110-1-04	Summer Employees	\$2,000.00

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: Hahn, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf,
Clark, Jackson, Ganance.

Noes: None. The President declared this resolution duly adopted.

By Alderperson Dellehunt

Seconded by Alderperson Jackson

RESOLUTION APPOINTING PAUL J. GOLDMAN, ESQ.,
OF SEGEL, GOLDMAN & MAZZOTTA, P.C., AS
SPECIAL COUNSEL TO REPRESENT THE INTERESTS OF THE
CITY IN TAX CERTIORARI PROCEEDINGS COMMENCED
BY BASF CORPORATION, AGAINST THE CITY OF
RENSSELAER FOR THE TAX YEAR 1995

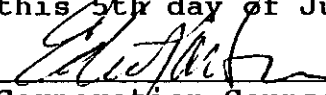
WHEREAS, BASF Corporation has commenced tax certiorari proceedings against the City of Rensselaer for the tax year 1995, and

WHEREAS, it may be in the best interest of the City of Rensselaer to hire special counsel to represent the interests of the City in the aforementioned litigation,

NOW THEREFORE BE IT RESOLVED, that the City of Rensselaer hereby authorizes the Mayor to enter into a retainer agreement with the firm of Segel, Goldman & Mazzotta, P.C., in form and substance satisfactory to the Corporation Counsel, a copy of which is annexed hereto along with a curriculum vitae of Mr. Goldman and his firm, to represent the interests of the City of Rensselaer, as special counsel in the tax certiorari proceedings entitled BASF Corporation v. City of Rensselaer, and

BE IT FURTHER RESOLVED, that Mr. Goldman shall act as special counsel to the Corporation Counsel of the City of Rensselaer pursuant to Title XII, Section 265 of the Code of the City of Rensselaer.

Approved as to form and sufficiency
this 5th day of June, 1996.



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

- Ayes: DeJulio, Dellehunt, Fahrenkopf, Clark, Jackson, Ganance
- Noes: Hahn, Stammel
- Abstain: Nardacci

The President declared this resolution duly adopted.

By Alderperson Jackson

Seconded by Alderperson DeJulio

A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO A CONTRACT WITH THE
CITY OF TROY FOR THE PURCHASE OF WATER

WHEREAS, The City of Troy, City of Rensselaer and Town of East Greenbush entered into a certain agreement dated October 28, 1964 whereby The City of Troy agreed to sell and the City of Rensselaer and Town of East Greenbush jointly agreed to purchase water pursuant to certain terms and conditions set forth in said agreement, and

WHEREAS, pursuant to Section 9 of said agreement the contract price for water sold by The City of Troy to the City of Rensselaer and Town of East Greenbush shall be paid for after the first year at the cost of production per 1,000 gallons, and

WHEREAS, pursuant to said agreement the cost of production per 1,000 gallons is to be established by the Commissioner of Public Utilities formerly Superintendent of Bureau of Water of Troy at the beginning of each calendar year, and

WHEREAS, a subsequent agreement dated May 13, 1994 was executed between the City of Troy, City of Rensselaer and Town of East Greenbush establishing the cost of production for a three (3) year period commencing November 1, 1992 and ending October 31, 1995, and

WHEREAS, the Commissioner of Public Utilities for the City of Troy has again established the cost of production effective November 1, 1995, and

WHEREAS, the City of Rensselaer is desirous of avoiding, if possible, the costs and inconvenience of arbitration proceedings, and

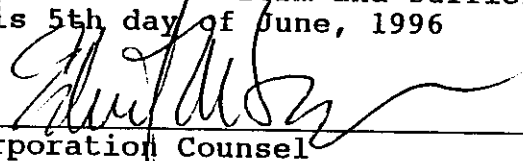
WHEREAS, the City of Rensselaer is desirous of establishing the new schedule of rates for the three (3) year period commencing November 1, 1995 and ending October 31, 1998,

NOW THEREFORE BE IT RESOLVED that the Mayor of the City of Rensselaer be authorized to enter into an amendment of the October 28, 1964 Agreement with the City of Troy for the purchase of water providing that the cost of water for the three (3) year period beginning November 1, 1995 and ending October 31, 1998 shall be as follows:

<u>YEAR</u>	<u>AMOUNT</u>
November 1, 1995 - April 30, 1996	\$1.06/1000 gal.
May 1, 1996 - October 31, 1996	\$1.10/1000 gal.
November 1, 1996 - April 30, 1997	\$1.14/1000 gal.
May 1, 1997 - October 31, 1997	\$1.16/1000 gal.
November 1, 1997 - October 31, 1998	\$1.19/1000 gal.

BE IT FURTHER RESOLVED that this Council's approval is expressly conditioned upon the Amendment of the 1964 Agreement being approved as to form and sufficiency by the office of the Corporation Counsel and upon the waiver of any interest or late charges accruing under any previous agreements for the purchase of water from the City of Troy.

Approved as to form and sufficiency
this 5th day of June, 1996



Corporation Counsel

Approved: Joseph A. Kapp
Mayor

Ayes: DeJulio, Dellehunt, Fahrenkopf, Clark, Jackson, Ganance
Noes: Hahn, Nardacci, Stammel.

The President declared this resolution duly adopted.

I Annette M. Braman, Deputy Clerk do hereby certify that the foregoing is a true and correct copy of the Common Council Meeting held on June 5th, 1996.

Annette M. Braman
Deputy Clerk
City of Rensselaer