

CITY OF RENSSELAER
IN
COMMON COUNCIL
WEDNESDAY EVENING
REGULAR MEETING

JULY 17, 1996

The Council convened at 9:05 p.m. and was called to order by President Lynn Ganance.
The Roll being called the following answered to their names;

President Ganance

| | |
|--------------------|-------------------------|
| Aldersperson: Hahn | Aldersperson: Dellehunt |
| Felts | Fahrenkopf |
| DeJulio | Clark |
| Nardacci | Jackson |
| Stammel | |

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

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

Claims: None.
Petitions: None

President Ganance moved that all bills and payrolls be referred to the Auditing Committee.
The City Clerk reports that the City Bills, and Payrolls, amounted to:

| | |
|---|-------------|
| City Bills: | \$19,618.43 |
| Water Department Bills: | \$ 104.52 |
| Solid Waste Bills: | \$ 780.00 |
| Community Development Block Grant: | \$ 6,544.04 |
| Animal Control Officer: | \$ 325.75 |
| Common Council Payroll: | \$ 2,233.60 |
| Crossing Guards: | \$ 0.00 |
| General City Pavroll: | \$20,141.30 |
| Public Works Administration Payroll: | \$ 2,142.83 |
| Public Works Maintenance Payroll: | \$17,593.21 |
| Public Works Overtime: | \$ 1,069.02 |
| Fire Department Payroll: | \$15,410.13 |
| Fire Department Overtime: | \$ 2,050.33 |
| Police Department Payroll: | \$35,037.84 |
| Police Department Overtime: | \$ 2,546.59 |
| Police Department Reimbursement: | \$ 41.14 |
| Police Dispatcher & Clerks & Holiday Pay: | \$ 5,159.03 |
| Police Dispatcher & Clerks Overtime: | \$ 154.13 |
| Water Department Administration Payroll: | \$ 2,902.62 |
| Water Department Maintenance Payroll: | \$ 2,900.73 |
| Water Department Overtime: | \$ 562.74 |
| Solid Waste Administration Payroll: | \$ 1,318.37 |
| Solid Waste Maintenance Pavroll: | \$ 4,092.32 |



MAUREEN G. NARDACCI
City Clerk

CITY OF RENSSELAER

OFFICE OF THE CITY CLERK

RENSSELAER, N. Y.

Telephone: (518) 462-4266

AGENDA FOR THE COMMON COUNCIL MEETING

July 17, 1996

- 1) A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget for the Department of Public Works.
- 2) A Resolution Authorizing the Transfer in Appropriations for the 1995-1996 Budget for the Police Department.
- 3) A Resolution to sell City-Owned Property known on the Assessment Rolls as 1216 Broadway (Tax Map # 144.29-3-31) to Scott and Kimberly Beckwith.
- 4) A Resolution Authorizing the Mayor to enter into An Retainer Agreement with Ward, Sommer, and Moore, L.L.C. to Act as Special Counsel for the City in the 4-C's Landfill Litigation.
- 5) A Resolution Authorizing the Mayor to enter into An Retainer Agreement with Ward, Sommer, and Moore, L.L.C. to Act as Special Counsel for the City in the 4-C's Landfill Litigation.
- 6) A Resolution Ratifying an Agreement with the City of Rensselaer and The Partridge Run Development Group for the purpose of Subdivision Approval in the Ninth Ward of the City of Rensselaer.
- 7) A Resolution Obligating the City of Rensselaer to provide a Firehouse in the Ninth Ward of the City of Rensselaer Contingent upon the Final Subdivision Approval of the City Planning Commission.

| | |
|--|-------------|
| Solid Waste Overtime: | \$ 49.34 |
| Library Payroll: | \$ 1,644.63 |
| Planning & Development Agency Payroll: | \$ 4,491.91 |

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

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

Noes: None.

A Motion was made by Alderson Nardacci, to go into Executive Session to discuss Litigation on the 4-C's Landfill, seconded by Alderson Hahn, at 9:30 p.m.

Vote on Executive Session:

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark, Jackson, and Ganance.
Noes: None.

The Council reconvened at 10:00 p.m.

Alderson Hahn moved to adjourn at 10:15 seconded by Alderson Dellehunt.

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Fahrenkopf, Clark, Jackson, and Ganance.
Noes: None.

The Next Regular Meeting of the Common Council : August 7, 1996.

By Alderperson DeJulio

Seconded By Alderperson Jackson

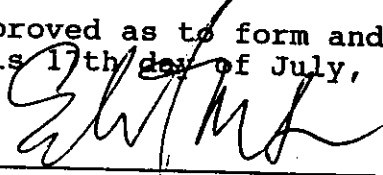
A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995 - 1996 BUDGET

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

| | | | |
|-------|------------|--------------------------|-------------------|
| From: | A1210-2-01 | Computer Related Items | \$ 215.45 |
| | A1210-2-03 | Purchase of Equipment | \$ 672.02 |
| | A1210-2-07 | New Computer | \$ 310.23 |
| | A1210-4-05 | NYS Conference of Mayors | \$ 899.00 |
| | | TOTAL | \$2,096.70 |

| | | | |
|-----|------------|--------------|-------------------|
| To: | A1620-1-03 | Laborers | \$2,096.70 |
| | | TOTAL | \$2,096.70 |

Approved as to form and sufficiency
this 17th day of July, 1996.



Corporation Counsel

Approved: _____
Mayor

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

Noes: NOne.

The President declared this resolution duly adopted.

Sponsored by Alderperson Hahn

Seconded By Alderperson Nardacci

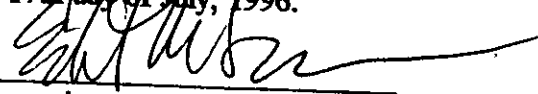
**A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1995-1996 BUDGET**

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

| | | | |
|-------|------------|-------------------------------|-------------------|
| FROM: | A3120-2-09 | Accident Investigation | \$112.05 |
| | A3120-2-11 | Defensive Tactics | \$435.00 |
| | A3120-2-32 | Recorder Misc. Expenses | \$250.00 |
| | A3120-2-58 | Tactical Team | \$215.14 |
| | A3120-4-19 | Training Schools | \$295.93 |
| | A3120-2-25 | Photo Supplies -Film Printing | \$263.43 |
| | A3120-2-08 | Range Supplies-Ammo-Targets | \$452.18 |
| | | TOTAL | <u>\$2,023.73</u> |

| | | | |
|-----|------------|---------------------|------------|
| TO: | A3120-2-03 | Vehicle Maintenance | \$2,023.73 |
|-----|------------|---------------------|------------|

Approved as to form and sufficiency
this 17th day of July, 1996.



Corporation Counsel

Approved: _____
Mayor

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

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

By Alderperson Stammel

Seconded By Alderperson Hahn

A RESOLUTION TO SELL
CITY-OWNED PROPERTY KNOWN ON THE
ASSESSMENT ROLLS AS 1216 BROADWAY (Tax Map # 144.29-3-31)
TO SCOTT AND KIMBERLY BECKWITH

WHEREAS Scott and Kimberly Beckwith, owners of property at 1213 First Street, City of Rensselaer, had expressed an interest in purchasing City-owned property (vacant land) known and designated as 1216 Broadway (Tax Map # 144.29-3-31), and

WHEREAS pursuant to the policy of this Council with respect to the sale of certain City-owned lands, the Corporation Counsel did inquire by mail of all abutting landowners if they had any interest in purchasing the said parcel, and

WHEREAS the other abutting landowners of this vacant lot known as 1216 Broadway (Tax Map # 144.29-3-31) have not responded to the inquiry of the Corporation Counsel, and

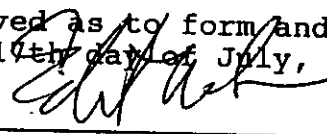
WHEREAS the City has caused an appraisal of said premises to be made by Charles M. Geragosian, and

WHEREAS the appraised value of said parcel is \$1,500, and the cost of preparation of said appraisal is \$275.00.

NOW THEREFORE BE IT RESOLVED that the City of Rensselaer convey real property known and designated as 1216 Broadway (Tax Map # 144.29-3-31) to Scott and Kimberly Beckwith for the sum of \$1,775.00, and

BE IT FURTHER RESOLVED that upon the receipt of the monies aforesaid, the Mayor be and he hereby is authorized to execute and deliver a quitclaim deed, in form and substance satisfactory to the Corporation Counsel, to said premises to Scott and Kimberly Beckwith.

Approved as to form and sufficiency
this 19th day of July, 1996.



Corporation Counsel

Approved: _____
Mayor

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

Noes: NOne. The President decalred this resolution duly adopted.

By Alderperson Nardacci-Hahn

Seconded by Alderperson DeJulio, Felts

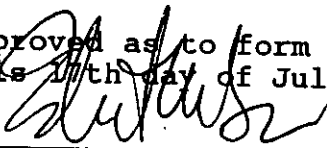
A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO AN RETAINER AGREEMENT WITH
WARD, SOMMER, AND MOORE, L.L.C.
TO ACT AS SPECIAL COUNSEL FOR THE CITY
IN THE 4-C'S LANDFILL LITIGATION

WHEREAS the City of Rensselaer has approved the law firm of Ward, Sommer, Moore, L.L.C., to represent its interests in the litigation surrounding the 4-C's Landfill, and

WHEREAS the law firm of Ward, Sommer, and Moore, L.L.C., has been representing the City's interests in a diligent manner from the commencement of the 4-C's Landfill litigation, and continues to represent the City's interests in a diligent manner, and

WHEREAS a Retainer Agreement for said services has been presented to the City by the law firm of Ward, Sommer, and Moore, L.L.C., requiring the City to be responsible for fifty (50%) percent of legal fees generated in the aforementioned litigation,

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Rensselaer agrees to authorize the Mayor to enter into a Retainer Agreement, of form and substance satisfactory to the Office of the Corporation Counsel, and formally retaining the law firm of Ward, Sommer, and Moore, L.L.C., to represent the City's interests in the 4-C's Landfill litigation.

Approved as to form and sufficiency
this 17th day of July, 1996.


Corporation Counsel

Approved: _____
Mayor

A Motion was made by Alderperson Hahn, to amend this resolution, seconded by Alderperson Felts.

Amendment to Read:

Third Paragraph, Third Line Take out fifty 50% and add 66.7% or 2/3.

Vote on Amendment:

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

Noes: None. Motion Adopted.

Vote on the Main Issue:

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

Noes: None. The President declared this Resolution adopted.

WITHDRAWN

By Alderperson

Seconded by Alderperson

A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO AN RETAINER AGREEMENT WITH
WARD, SOMMER, AND MOORE, L.L.C.
TO ACT AS SPECIAL COUNSEL FOR THE CITY
IN THE 4-C'S LANDFILL LITIGATION

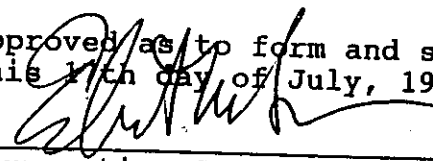
WHEREAS the City of Rensselaer has approved the law firm of Ward, Sommer, Moore, L.L.C., to represent its interests in the litigation surrounding the 4-C's Landfill, and

WHEREAS the law firm of Ward, Sommer, and Moore, L.L.C., has been representing the City's interests in a diligent manner from the commencement of the 4-C's Landfill litigation, and continues to represent the City's interests in a diligent manner, and

WHEREAS a Retainer Agreement for said services has been presented to the City by the law firm of Ward, Sommer, and Moore, L.L.C., requiring the City to be responsible for one hundred (100%) percent of legal fees generated in the aforementioned litigation,

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Rensselaer agrees to authorize the Mayor to enter into a Retainer Agreement, of form and substance satisfactory to the Office of the Corporation Counsel, and formally retaining the law firm of Ward, Sommer, and Moore, L.L.C., to represent the City's interests in the 4-C's Landfill litigation.

Approved as to form and sufficiency
this 17th day of July, 1996.



Corporation Counsel

Approved: _____
Mayor

Tabled

By Alderperson Stammel

Seconded by Alderperson Hahn

A RESOLUTION RATIFYING AN AGREEMENT WITH THE CITY OF RENSSELAER AND THE PARTRIDGE RUN DEVELOPMENT GROUP FOR THE PURPOSE OF SUBDIVISION APPROVAL IN THE NINTH WARD OF THE CITY OF RENSSELAER

WHEREAS the Partridge Run Development Group is an applicant for subdivision approval for a project known as Partridge Run, located in the Ninth Ward of the City of Rensselaer, and

WHEREAS the State Environmental Quality Review (SEQR) requires that if the proposed Partridge Run Subdivision is approved, additional fire protection in the City is required, in order to adequately protect the potential new residents occupying the homes in said subdivision, and

WHEREAS the Partridge Run Development Group is requesting relief from the City of Rensselaer Subdivision Regulation requirements for sidewalks, curbing, and street lights in said subdivision, and

WHEREAS the Partridge Run Development Group has agreed to improve certain water supply extensions which would benefit the residents of the City, and

WHEREAS the Partridge Run Development Group has further agreed to contribute \$350,000.00 to the City to mitigate the costs of such additional fire protection, and

WHEREAS the Office of the Corporation Counsel of the City has negotiated the annexed Agreement with the Partridge Run Development Group, by and through their respective counsels, detailing said improvements and the terms of payment of said sums,

NOW THEREFORE BE IT RESOLVED the Common Council of the City of Rensselaer hereby ratifies and approves said Agreement on behalf of the City of Rensselaer.

Approved as to Form and Sufficiency this 17th day of July 1996.

[Signature] Corporation Counsel

Approved: _____ Mayor

A Motion was made BY Alderperson Stammel, to Table this resolutuion seconded by Alderperson Hahn.

Vote to Table:

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

Noes: None. The President declared this Resolution Tabled.

Amended Resolution was submitted.

By Alderperson

Seconded by Alderperson

A RESOLUTION OBLIGATING THE
CITY OF RENSSELAER TO PROVIDE
A FIREHOUSE IN THE NINTH WARD OF THE CITY
CONTINGENT UPON THE FINAL SUBDIVISION APPROVAL
OF THE CITY PLANNING COMMISSION

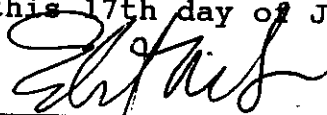
WHEREAS on July 2, 1996, the Planning Commission of the City of Rensselaer gave conditional preliminary subdivision approval to the project known as Partridge Run, and

WHEREAS this subdivision project is a 112.9± acre subdivision located in the Ninth Ward of the City, and

WHEREAS, the State Environmental Quality Review (SEQR) Negative Declaration requires that fire protection services are to be provided by the City of Rensselaer, to be assisted by a contribution of \$350,000.00 by the Developer of this project for the purpose of expanding fire protection capacity to serve the project location,

NOW THEREFORE BE IT RESOLVED that contingent upon final subdivision approval of the project known as Partridge Run, the City of Rensselaer is obligated to provide the aforesaid fire protection services.

Approved as to Form and Sufficiency
this 17th day of July 1996.



Corporation Counsel

Approved: _____
Mayor

By Alderperson *Stammel-Hahn* -
Seconded by Alderperson *Hahn-Jackson*

A RESOLUTION OBLIGATING THE
CITY OF RENSSELAER TO PROVIDE
A FIREHOUSE EAST OF I90 IN THE CITY OF RENSSELAER

North End

WHEREAS the residents of ~~the Ninth Ward~~ of the City of Rensselaer have long needed an increase in fire protection services, and

WHEREAS the City is committed to protect the welfare of all of its residents,

NOW THEREFORE BE IT RESOLVED that the City is committed to provide a fire house east of I90.

Approved as to Form and Sufficiency
this 17th day of July 1996.

[Signature]
Corporation Counsel

Approved: _____

Mayor

Main Issue

Amendment

| | AYES | NOES |
|---------------------|------|------|
| JOSEPH KAPP | ✓ | |
| BONNIE HAHN | ✓ | |
| LYNN GANANCE | ✓ | |
| GREGORY DE JULIO | ✓ | |
| JACQUELINE NARDACCI | ✓ | |
| MICHAEL STAMMEL | ✓ | |
| ALAN DELLEHUNT | ✓ | |
| ROBERT FAHRENKOPF | ✓ | |
| FREDERICK CLARK | ✓ | |
| PATRICIA JACKSON | ✓ | |
| TOTAL | 10 | 0 |

| | AYES | NOES |
|---------------------|------|------|
| JOSEPH KAPP | ✓ | |
| BONNIE HAHN | ✓ | |
| LYNN GANANCE | ✓ | |
| GREGORY DE JULIO | ✓ | |
| JACQUELINE NARDACCI | ✓ | |
| MICHAEL STAMMEL | ✓ | |
| ALAN DELLEHUNT | ✓ | |
| ROBERT FAHRENKOPF | ✓ | |
| FREDERICK CLARK | ✓ | |
| PATRICIA JACKSON | ✓ | |
| TOTAL | 10 | |

A Motion was made by Alderperson Hahn, to amend this resolution seconded by Alderperson Jackson.

Amendment to read:

First Paragraph, first line take out "Ninth Ward and add "North End".

Vote on Amendment:

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Fahrnekopf, Clark, Jackson, and Ganance.
Noes: None. Motion adopted.

Vote on the Main Issue:

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

By Alderperson Dellehunt

Seconded by Alderperson Nardacci

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: | A3410-4-11 | FIRE PREVENTION PROGRAM | \$ 603.62 |
| | A3410-4-12 | NYS OFFICE FIRE PREVENTION | \$ 555.00 |
| | A3410-4-14 | 20 5 GALS BUCKETS FOAM | \$ 150.90 |
| | A3410-4-18 | MEDICAL WASTE | \$ 250.00 |
| | A3410-4-06 | FIRE ALARM SYSTEM | \$1,500.00 |
| | A3410-4-08 | FIRE CHIEFS CONFERENCE | \$ 270.45 |
| | A3410-4-10 | JR. FIRE EDUCATION PROGRAM | \$ 600.00 |
| | A3410-4-09 | ARSON EDUCATION | \$ 328.00 |
| | A3410-2-03 | AIR BOTTLE HYDRO TEST | \$1,025.30 |
| | A3410-2-06 | HELMETS | \$ 375.00 |
| | A3410-2-10 | BATTERIES & PAGER CASES | \$ 190.65 |
| | A3410-2-16 | COMPUTER SUPPLIES | \$ 668.96 |
| | A3410-2-17 | TFT NOZZLES | \$ 648.17 |
| | A3410-4-02 | TRAINING INSTRUCTORS | \$ 900.00 |
| | A3410-4-04 | GAS | \$ 600.00 |
| | A3410-4-05 | SUPPLIES & OTHER EXPENSES | \$ 190.28 |
| TO: | A342-01 | REPAIR & MAINTENANCE OF EQUIP. | \$8,856.33 |

Approved as to form and sufficiency
this 17th day of July, 1996.

Edward Sosner
CORPORATION COUNSEL

Approved: _____
Mayor

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

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

I Maureen G. Nardacci, City Clerk do hereby certify that the foregoin is a true and correct copy of the Common Council Meeting held July 17, 1996.

Maureen G. Nardacci
City Clerk
City of Rensselaer