

CITY OF RENSSELAER
IN
COMMON COUNCIL
WEDNESDAY EVENING
REGULAR MEETING
MARCH 5, 1997

THE CITY CLERK ANNOUNCES THAT DUE TO THE TEMPORARY ABSENT OF PRESIDENT GANANCE WE MUST ELECT A PRESIDENT PRO-TEM FOR THIS COUNCIL MEETING ONLY.

PRESIDENT PRO-TEM

A MOTION WAS MADE BY ALDERPERSON CLARK TO NOMINATE PAT JACKSON AS PRESIDENT PRO-TEM SECONDED BY ALDERPERSON DELLEHUNT

VOTE ON PAT JACKSON AS PRESIDENT PRO-TEM

AYES: DEJULIO, DELLEHUNT, CLARK, JACKSON
NOES: HAHN, FELTS, NARDACCI, STAMMEL

TIE VOTE.

PRESIDENT PRO-TEM

A MOTION WAS MADE BY ALDERPERSON FELTS TO NOMINATE MIKE STAMMEL, SECONDED BY ALDERPERSON HAHN.

VOTE ON MIKE STAMMEL AS PRESIDENT PRO-TEM.

AYES: HAHN, FELTS, NARDACCI, STAMMEL.
NOES: DEJULIO, DELLEHUNT, CLARK JACKSON.

TIE VOTE.

THE CLERK ANNOUNCES AGAIN THAT DUE TO THE TEMPORARY ABSENT OF PRESIDENT GANANCE WE MUST ELECT A PRESIDENT PRO-TEM FOR THIS COUNCIL MEETING ONLY.

AT THIS TIME THE CLERK WILL ACCEPT NOMINATIONS FROM THE FLOOR.

A MOTION WAS MADE BY ALERPERSON DELLEHUNT TO NOMINATE PAT JACKSON, SECONDED BY ALDERPERSON CLARK.

VOTE ON PAT JACKSON FOR PRESIDENT PRO-TEM FOR THE MARCH 6, 1997 COUNCIL MEETING ONLY.

AYES: HAHN, FELTS, DEJULIO, NARDACCI, STAMMEL, DELLEHUNT, CLARK, AND JACKSON.



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 MEETING
MARCH 5, 1997

1. A Resolution Authorizing Michael Burns, Director of Planning and Development to Hold A Public Hearing Concerning, A Local Law Amending Article 11B., Zoning Law of the City of Rensselaer," Pursuant to Article VII of the "Zoning Law of the City Of Rensselaer, New York," (Local Law #1 of 1979) Relevant to the Addition of Lands.
2. A Resolution Authorizing the Transfer in Appropriations for the 1996-1997 Budget: Fire Department.
3. A Resolution Authorizing the Transfer in Appropriations for the 1996-1997 Budget: Sanitary Sewer.
4. Resolution Authorizing the Renewal Issuance of a Bond Anticipation Note or Notes of The City of Rensselaer, N. Y. In the amount \$20,000.00 in Anticipation of the Issuance Of Serial bonds of the City of Renss. For the purpose of paying for the city's Share Of the cost of Settling a Dispute with the Department of Labor Relative to Rensselaer Fire Dept.
5. Resolution Authorizing the Renewal Issuance of a Bond Anticipation Note or Notes of The City of Renss., N. Y. In the amount \$33,000.00 in anticipation of the Issuance Of Serial Bonds of the City of Renss. For the purpose of paying the City's share Of the cost of the aerial Ladder Fire Truck..
6. Resolution Authorizing the Renewal Issuance of a Bond Anticipation Note or Notes Of the City of Renss., N. Y. In the amount \$75,000.00 in anticipation of the Issuance Of Serial Bonds of the City of Renss. For the purpose of paying the City share of the Cost of Two Single Rear Axle Dump Trucks.



MAUREEN G. NARDACCI
City Clerk

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7. Resolution Authorizing the Renewal Issuance of a Bond Anticipation Note of Notes Of the City of Renss., N. Y. In the amount \$20,000.00 in Anticipation of the Issuance Of Serial bonds of the City of Renss. For the purpose of paying the City's share Of the cost of Two Liberty Series 1991 Fire Trucks.

8. Resolution asking for the investigation on the handling of the permit application of the 4C;S Development Corp. For a construction and demolition debris landfill in the Town of East Greenbush.

MS. JACKSON IS ELECTED PRESIDENT PRO-TEM FOR THE MARCH 6, 1997 COUNCIL MEETING ONLY.

THE COUNCIL CONVENED AT 8:35 P.M. AND WAS CALLED TO ORDER BY PRESIDENT PRO-TEM JACKSON.

THE ROLL BEING CALLED THE FOLLOWING ANSWERED TO THEIR NAMES:

PRESIDENT GANANCE-ABSENT

ALDERPERSON: HAHN
FELTS
DEJULIO
NARDACCI
STAMMEL

ALDERPERSON: DELLEHUNT
FAHRENKOPF-ABSENT
CLARK
JACKSON

ALDERPERSON DEJULIO MOVED THAT THE MINUTES BE ADOPTED AS PRINTED SUBJECT TO CORRECTIONS.

COMMUNICATIONS: NONE

COMMITTEE REPORTS: SEPCIAL COMMITTEE ON 4'C'S
COMMUNITY SERVICES COMMITTEE
TRANSPORTATION COMMITTEE
PLANNING & DEVELOPMENT COMMITTEE

CLAIMS: NONE.
PETITIONS: NONE

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

PRESIDENT PRO-TEM JACKSON 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:	\$14,351.75
WATER DEPARTMENT BILLS:	\$ 3,356.16
SOLID WASTE BILLS:	\$13,448.36
COMMUNITY DEVELOPMENT BLOCK GRANT:	\$62,088.00

PAYROLLS:

ANIMAL CONTROL OFFICER:	\$ 325.75
COMMON COUNCIL PAYROLL:	\$ 2,278.54
CROSSING GUARDS PAYROLL:	\$ 547.23
GENERAL CITY PAYROLL:	\$14,578.30
PUBLIC WORKS ADMINISTRATION PAYROLL:	\$ 2,142.83
PUBLIC WORKS MAINTENANCE PAYROLL:	\$16,720.65
PUBLIC WORKS OVERTIME:	\$ 95.84

FIRE DEPARTMENT PAYROLL:	\$15,328.08
FIRE DEPARTMENT OVERTIME:	\$ 1,502.07
POLICE DEPARTMENT PAYROLL:	\$36,538.85
POLICE DEPARTMENT OVERTIME:	\$ 2,930.75
POLICE DISPATCHER'S & CLERKS PAYROLL:	\$ 4,432.12
POLICE DISPATCHER'S & CLERKS OVERTIME:	\$ 0.00
WATER DEPARTMENT ADMINISTRATION PAYROLL:	\$ 2,902.62
WATER DEPARTMENT MAINTENANCE PAYROLL:	\$ 3,182.78
WATER DEPARTMENT OVERTIME:	\$ 599.83
SOLID WASTE ADMINISTRATION PAYROLL:	\$ 514.72
SOLID WASTE MAINTENENCE PAYROLL:	\$ 4,256.31
SOLID WASTE OVERTIME:	\$ 66.66
LIBRARY PAYROLL:	\$ 1,644.63
PLANNING & DEVELOPMENT AGENCY PAYROLL:	\$ 4,491.91

ALDERPERSON NARDACCI MOVED, SECONDED BY ALDERPERSON STAMMEL THAT ALL BILLS AND PAYROLLS BE ALLOWED AND ORDERED PAID.

ALDERPERSON DELLEHUNT MOVED TO ADJOURN AT 9:25 P.M. SECONDED BY ALDERPERSON NARDACCI.

NEXT MEETING: MARCH 19, 1997

By Alderperson Jackson

Seconded by Alderperson Stammel

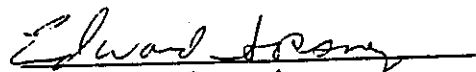
A RESOLUTION AUTHORIZING MICHAEL BURNS, DIRECTOR OF PLANNING AND DEVELOPMENT TO HOLD A PUBLIC HEARING CONCERNING, A LOCAL LAW AMENDING ARTICLE 11B. , "ZONING LAW OF THE CITY OF RENSSELAER," PURSUANT TO ARTICLE VII OF THE "ZONING LAW OF THE CITY OF RENSSELAER, NEW YORK," (LOCAL LAW #1 OF 1979) RELEVANT TO THE ADDITION OF LANDS.

WHEREAS, the Planning Development District was created by Local Law #3 of 1987, and

WHEREAS, since that time additional lands have been purchased by a Developer who wishes to use the Residential Planning Development District,

BE IT RESOLVED, that Michael Burns, Director of Planning and Development be authorized to hold a Public Hearing concerning a Local Law amending Article 2B Zoning Map of City of Rensselaer pursuant to Article 7 of Zoning Law of the City of Rensselaer, New York (Local Law #1 of 1979) and relevant to the addition of lands in a Residential Planning Development District to be held on _____ day at _____ time.

Approved as to form and sufficiency,
this 5th day of March 1997.


Corporation Counsel

Approved _____
Mayor

revloclaw#3

A Motion was made by Alderperson Jackson, seconded by Alderperson Stammel to Withdraw this resolution.

Vote to Withdraw:

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

Sponsored by Alderperson Hahn

Seconded by Alderperson Nardacci

**A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1996 - 1997 BUDGET: FIRE DEPARTMENT**

Resolved, that the City Treasurer is hereby authorized to make the following transfers in appropriations for the 1996 - 1997 City Budget

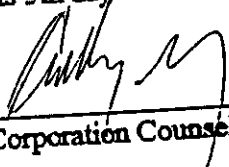
FROM: Fire Department

A3410-4-11:	Fire Prevention Program.....	\$1000.
A3410-4-12:	NYS Office of Fire Prevention.....	\$ 820.
A3410-4-14:	Buckets of Foam.....	\$2000.
A3410-2-03:	Air Hydro Test.....	\$ 500.
A3410-2-09:	Hand Tools.....	\$ 600.
A3410-2-16:	Computer Supplies.....	\$ 400.
A3410-2-17:	TFT Nozzles.....	\$ 760.
A3410-2-18:	Bunker Pants.....	\$ 300.
A3410-2-19:	Hose 3".....	\$ 325.
		Total \$6705.00

TO: Fire Department

A3410-2-01:	Repair & Maintenance.....	\$6705.
		Total \$6705.00

Approved as to form and substance
This 5th day of March 1997



Corporation Counsel

Approved: Edward J. Finlan
Mayor

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Clark, Jackson.
Noes: None. The President Pro-Tem declared this resolution duly adopted.

RENSSELAER FIRE DEPARTMENT : 2/25/97

FROM LINE ITEM BUDGET CHANGE TRANSFERS:

3410-4-11 FIRE PREVENTION PROGRAM	\$1000.00
3410-4-12 NYS OFFICE OF FIRE PREVENTION	820.00
3410-4-14 BUCKETS OF FOAM	2000.00
3410-2-03 AIR HYDRO TEST	500.00
3410-2-09 HAND TOOLS	600.00
3410-2-16 COMPUTER SUPPLIES	400.00
3410-2-17 TFT NOZZLES	760.00
3410-2-18 BUNKER PANTS	300.00
3410-2-19 HOSE 3"	325.00

TOTAL	\$6705.00

TO LINE 3410-2-01 REPAIR AND MAINTENANCE OF EQUIPMENT \$6705.00

RESPECTFULLY SUBMITTED

PHILIP B. SMITH
CHIEF OF DEPARTMENT

PBS

Sponsored by Alderperson Hahn

Seconded by Alderperson Nardacci

**A RESOLUTION AUTHORIZING THE
TRANSFER IN APPROPRIATIONS FOR THE
1996 - 1997 BUDGET: SANITARY SEWER**

Resolved, that the City Treasurer is hereby authorized to make the following transfers in appropriations for the 1996 - 1997 City Budget

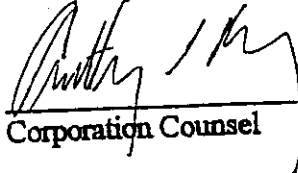
FROM: Sanitary Sewer

A8120-4-05: Maint Contract Wash Ave Pump Statn.....\$2500.
Total \$2500.

TO: Sanitary Sewer

A8120-1-03: Overtime.....\$2500.
Total \$2500.

Approved as to form and substance
This 5th day of March 1997



Corporation Counsel

Approved: Edward J. Finlan
Mayor

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

By ALDERPERSON Stammel Clark
SECONDED BY ALDERPERSON

RESOLUTION AUTHORIZING THE RENEWAL ISSUANCE OF A BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER, NEW YORK IN THE AMOUNT \$20,000.00 IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING THE CITY'S SHARE OF THE COST OF SETTLING A DISPUTE WITH THE DEPARTMENT OF LABOR RELATIVE TO RENSSELAER FIRE DEPARTMENT.

Whereas, The Common Council of the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of \$55,460.00 on March 8th, 1994 to mature on March 8th 1995 for the purpose of paying for the City's share of the cost of the SETTLING A DISPUTE WITH THE DEPARTMENT OF LABOR RELATIVE TO THE RENSSELAER FIRE DEPARTMENT per resolution of the Common Council, and

Whereas, a portion of said \$55,460.00 note was paid on March 8th, 1995, to wit the sum of \$11,092.00 and a note issued in the amount of \$44,368.00 was issued on March 8th, 1995 to mature on March 8th, 1996 and

Whereas, a portion of said \$44,368.00 was paid on March 8th 1996, to wit the sum of \$11,092.00 and a new note issued in the amount of \$33,276.00 to mature March 7, 1997,

Whereas, the Common Council desires to provide for the renewal of a Bond Anticipation note in the amount of \$20,000.00 on March 7th, 1997,

Now therefore be it resolved, by the Common Council of the City of Rensselaer as follows:

SECTION 1. There shall be issued one Bond Anticipation Note in the amount of \$20,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds by the City, authorized by resolution dated March 5TH, 1997 adopted by the Common Council. The said note shall be issued for the purpose of renewing the Bond Anticipation hereinbefore described. Neither was the note heretofore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

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

Section 3. The note herein authorized shall be dated March 7th, 1997 and mature March 6th, 1998.

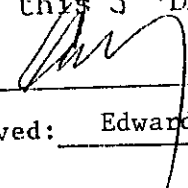
Section 4. the Treasurer of the City is hereby authorized and directed to proceed with the sale of said note at private sale for not less than par and accrued interest at a rate in accordance with local finance law of the State of New York at such time as the Treasurer shall determine. The Treasurer is hereby authorized to determine all matters in relation to said note not specifically determined by said resolution.

Section 5. The faith and credit of the City is hereby pledged for the punctual payment of the principal and interest on said note. Said Bond Anticipation Note shall be paid from the proceeds of the sale of bonds in anticipation of which the note was issued or may be redeemed as provided by the local finance law of the State of New York.

Section 6. This note shall be designated by the issuer 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 7. This resolution shall be dated March 5th, 1997 and shall take effect immediately.

Approved as to form and sufficiency
this 5th DAY OF March, 1997

Approved: 
Edward J. Finlan
Mayor

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

By ALDERPERSON Clark
SECONDED BY ALDERPERSON Nardacci

RESOLUTION AUTHORIZING THE RENEWAL ISSUANCE OF A BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER, NEW YORK IN THE AMOUNT \$33,000.00 IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING THE CITY'S SHARE OF THE COST OF THE AERIAL LADDER FIRE TRUCK.

Whereas, The Common Council of the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of \$97,000.00 on March 8th, 1994 to mature on March 8th 1995 for the purpose of paying for the City's share of the cost of the AERIAL LADDER FIRE TRUCK PER resolution of the Common Council, and

Whereas, a portion of said \$97,000.00 note was paid on March 8th, 1995, to wit the sum of \$19,400.00 and a note issued in the amount of \$77,600.00 was issued on March 8th, 1995 to mature on March 8th, 1996 and

Whereas, a portion of said 77,600.00 was paid on March 8th 1996, to wit the sum of \$19,400.00 and a new note issued in the amount of \$58,200.00 to mature March 7, 1997,

Whereas, the Common Council desires to provide for the renewal of a Bond Anticipation note in the amount of \$33,000.00 on March 7th, 1997,

Now therefore be it resolved, by the Common Council of the City of Rensselaer as follows:

SECTION 1. There shall be issued one Bond Anticipation Note in the amount of \$33,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds by the City, authorized by resolution dated March 5TH, 1997 adopted by the Common Council. The said note shall be issued for the purpose of renewing the Bond Anticipation hereinbefore described. Neither was the note heretofore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

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

Section 3. The note herein authorized shall be dated March 7th, 1997 and mature March 6th, 1998.

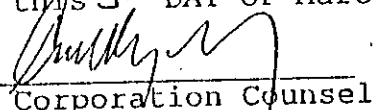
Section 4. the Treasurer of the City is hereby authorized and directed to proceed with the sale of said note at private sale for not less than par and accrued interest at a rate in accordance with local finance law of the State of New York at such time as the Treasurer shall determine. The Treasurer is hereby authorized to determine all matters in relation to said note not specifically determined by said resolution.

Section 5. The faith and credit of the City is hereby pledged for the punctual payment of the principal and interest on said note. Said Bond Anticipation Note shall be paid from the proceeds of the sale of bonds in anticipation of which the note was issued or may be redeemed as provided by the local finance law of the State of New York.

Section 6. This note shall be designated by the issuer 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 7. This resolution shall be dated March 5th, 1997 and shall take effect immediately.

Approved as to form and sufficiency
this 5th DAY OF March, 1997


Corporation Counsel

Approved: Edward J. Finlan
Mayor

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

By ALDERPERSON DeJulio
SECONDED BY ALDERPERSON Dellehunt

RESOLUTION AUTHORIZING THE RENEWAL ISSUANCE OF A BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER, NEW YORK IN THE AMOUNT \$75,000.00 IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING THE CITY'S SHARE OF THE COST OF TWO SINGLE REAR AXLE DUMP TRUCKS.

Whereas, The Common Council of the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of \$125,858.00 on March 15, 1995 to mature on March 15th 1996 for the purpose of paying for the City's share of the cost of TWO REAL AXLE DUMP PER resolution of the Common Council, and

Whereas, a portion of said \$125,858.00 note was paid on March 16th, 1996, to wit the sum of \$25,000.00 and a note issued in the amount of \$100,858.00 was issued on March 16th, 1996 to mature on March 14th, 1997 and

Whereas, the Common Council desires to provide for the renewal of a Bond Anticipation note in the amount of \$75,000.00 on March 14, 1997,

Now therefore be it resolved, by the Common Council of the City of Rensselaer as follows:

SECTION 1. There shall be issued one Bond Anticipation Note in the amount of \$75,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds by the City, authorized by resolution dated March 5TH, 1997 adopted by the Common Council. The said note shall be issued for the purpose of renewing the Bond Anticipation hereinbefore described. Neither was the note heretofore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

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

Section 3. The note herein authorized shall be dated March 14, 1997 and mature March 13th, 1998.

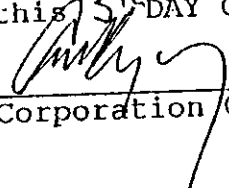
Section 4. the Treasurer of the City is hereby authorized and directed to proceed with the sale of said note at private sale for not less than par and accrued interest at a rate in accordance with local finance law of the State of New York at such time as the Treasurer shall determine. The Treasurer is hereby authorized to determine all matters in relation to said note not specifically determined by said resolution.

Section 5. The faith and credit of the City is hereby pledged for the punctual payment of the principal and interest on said note. Said Bond Anticipation Note shall be paid from the proceeds of the sale of bonds in anticipation of which the note was issued or may be redeemed as provided by the local finance law of the State of New York.

Section 6. This note shall be designated by the issuer 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 7. This resolution shall be dated March 5th 1997 and shall take effect immediately.

Approved as to form and sufficiency
this 5th DAY OF March, 1997


Corporation Counsel

approved Edward J. Finlan
Mayor

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Clark, and Jackson.
Noes: None. The PResident Pro-Tem declared this resolution duly adopted.

By ALDERPERSON
SECONDED BY ALDERPERSON

RESOLUTION AUTHORIZING THE RENEWAL ISSUANCE
OF A BOND ANTICIPATION NOTE OR NOTES OF THE
CITY OF RENSSELAER, NEW YORK IN THE AMOUNT
\$20,000.00 IN ANTICIPATION OF THE ISSUANCE
OF SERIAL BONDS OF THE CITY OF RENSSELAER
FOR THE PURPOSE OF PAYING THE CITY'S SHARE
OF THE COST OF TWO LIBERTY SERIES 1991 FIRE TRUCKS.

Whereas, The Common Council of the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of \$250,000.00 on March 18, 1992 to mature on March 10th 1993 for the purpose of paying for the City's share of the cost of TWO LIBERTY SERIES 1991 FIRE TRUCKS resolution of the Common Council, and

Whereas, a portion of said \$250,000.00 note was paid on March 23, 1993, to wit the sum of \$50,000.00 and a note issued in the amount of \$200,000.00 was issued on March 23, 1993 to mature on March 23, 1994 and

Whereas, said portion of \$200,000.00 note was paid on March 23, 1994, to wit the sum of \$50,000.00 and a new note issued in the amount of \$150,000.00 was issued on March 23, 1994 to mature on March 23, 1995, and

Whereas, a portion of said \$150,000.00 was paid on March 23, 1995, to wit the sum of \$50,000.00 and a new note issued on March 23, 1995 to mature on March 23, 1996, and

Whereas, a portion of said \$100,000.00 was paid on March 23, 1996 and a new note issued in the amount of \$50,000.00 on March 23, 1996 to mature on March 21, 1997 and

Whereas, the Common Council desires to provide for the renewal of a Bond Anticipation note in the amount of \$20,000.00 on March 21, 1997,

Now therefore be it resolved, by the Common Council of the City of Rensselaer as follows:

SECTION 1. There shall be issued one Bond Anticipation Note in the amount of \$20,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds by the City, authorized by resolution dated March 5TH, 1997 adopted by the Common Council. The said note shall be issued for the purpose of renewing the Bond Anticipation hereinbefore described. Neither was the note heretofore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

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

Section 3. The note herein authorized shall be dated March 21, 1997 and mature March 20th, 1998.

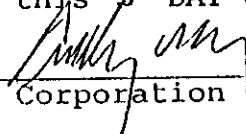
Section 4. the Treasurer of the City is hereby authorized and directed to proceed with the sale of said note at private sale for not less than par and accrued interest at a rate in accordance with local finance law of the State of New York at such time as the Treasurer shall determine. The Treasurer is hereby authorized to determine all matters in relation to said note not specifically determined by said resolution.

Section 5. The faith and credit of the City is hereby pledged for the punctual payment of the principal and interest on said note. Said Bond Anticipation Note shall be paid from the proceeds of the sale of bonds in anticipation of which the note was issued or may be redeemed as provided by the local finance law of the State of New York.

Section 6. This note shall be designated by the issuer 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 7. This resolution shall be dated March 5th, 1997 and shall take effect immediately.

Approved as to form and sufficiency
this 5th DAY OF March, 1997



Corporation Counsel

approved Edward J. Finlan
Mayor

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

#35-1997

Pg. 35

Amendment

Sponsor(s):

Aldersperson Council as a WholeAldersperson Council as a Whole

A RESOLUTION ASKING FOR THE INVESTIGATION ON THE HANDLING OF THE PERMIT APPLICATION OF THE 4C'S DEVELOPMENT CORPORATION FOR A CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL IN THE TOWN OF EAST GREENBUSH.

Whereas, We the member of the Rensselaer City Council have an obligation to act in the best interest our citizens, and

Whereas, despite repeated motions by the Town of East Greenbush, the County of Rensselaer, and the fact that local law prohibits landfills in the Town of East Greenbush, and contrary to the home rule element of the NYS Constitution, the Department of Environmental Conservation has chosen to proceed with the application submitted by the 4C's Development Corporation for a construction and demolition debris landfill in the Town of East Greenbush, and

Whereas, although the landfill would be located in the Town of East Greenbush and despite the Town filing for full party status, the Administrative Law Judge Daniel O'Connell, denied full party status to the town, granting amicus status, amounting to a silent party status, and

Whereas, the applicant has been cited for violations of solid waste without a permit at the landfill in November of 1994 and November of 1995, storage of dumpsters loaded with construction and demolition debris without a permit at the landfill in June of 1996 and operating a transfer station without a permit in the City of Rensselaer in September 1995, and again in December of 1996, and

Whereas, despite these repeated and deliberate violations of local and state law, the Administrative Law Judge refuses to allow the issue of the applicant's compliance history to be raised to the level of adjudication, and has chosen to label these violations of state law as "minor", "without any environmental impact", and that they "should have no impact of the pending permit application proceeding", and

Whereas, despite the Department of Environmental Conservation's failure to apply the same standards relied upon in its' decision to not allow the Troy landfill to reopen because of its proximity to residences due to problems of hydrogen sulfide gas to this similarly situated landfill, and

Whereas, not only is the approximate area around this landfill similar, but is more densely populated than the area in Troy, with some homes within 90 yards of the landfill property boundaries, and

Whereas, although the issue of hydrogen sulfide gas pollution is important, the Department of Environmental Conservation has time and time again failed to require disclosure of such important information, and

Whereas, despite failing to produce any evidence or witnesses of its own, the Department of Environmental Conservation objected and the Administrative Law Judge agreed not to allow the offering of testimony of an expert, Ward Stone, on hydrogen sulfide gas at trial, and

Whereas, the Department of Environmental Conservation has sought to prevent the admission of evidence documents from their files that detail the horrendous problems of hydrogen sulfide gas and has tried vigorously to limit the role of the City of Rensselaer regardless of the fact that the only current access to the landfill is through the City, and

Whereas, despite the fact that the access to the landfill is through the City of Rensselaer, the Department of Environmental Conservation refused to allow the issues of truck traffic and noise to be raised to the level of adjudication, and

Whereas, the remarkable position of the Department of Environmental Conservation stated at trial with regard to traffic and noise was that it should be handled by the city, despite the Department of Environmental Conservation's earlier position wherein it fought for lead agency status, over the City of Rensselaer and the Town of East Greenbush, since at the facility would have a regional impact requiring a state agency to control the project, and

Whereas, once the state permit is granted, local governments and citizens' groups will have to spend even more time and expense seeking to prevent the needed local permits from being granted, and

Whereas, this entire process can be characterized by what evidence has been left out, rather than what evidence has been heard, and

Whereas, if 40's can act brazenly against the interests of the residents of the City before being granted the permit, one can only fear how they will act after being granted their permit with Department of Environmental Conservation approval behind them, and

Whereas, the City of Rensselaer recognizes that Assemblyman, Mr. Richard Brodsky has been justly critical of the relaxed

enforcement by the Department of Environmental Conservation.

Wherefore, be it resolved that as the Common Counsel of the City of Rensselaer we implore Mr. Richard Brodsky, and anyone else of authority to look into these abuses by the DEC before they grant the state permit to permit of the 4C'S Development Corporation for a construction and Demolition Dabris Landfill in the Town of East Greenbush.

Approved as to form and sufficiency this 3rd day of March, 1997

Edward Sosny
Corporation Counsel

Edward J. Finaln
Mayor

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

Amendment to Read:

Last Paragraph first sentence, insert after Mr. Richard Brodasky, Chairman of the New York State Assembly on Environmental Conservation.

Vote on the Amendment:

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Clark, and Jackson.
Noes: None. The President Pro-Tem declared this motion adopted.

Vote on the Main Issue:

Ayes: Hahn, Felts, DeJulio, Nardacci, Stammel, Dellehunt, Clark, and Jackson.
Noes: None. The President Pro-Tem declared this resolutuion duly adopted.

I Maureen G. Nardacci do hereby certify that the foregoing is a true and correct copy of the Common Council Minutes held on March 5, 1997.

Maureen G. Nardacci
City Clerk
City of Rensselaer