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City Clerk

CITY OF RENSSELAER

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THE CITY CLERK
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AGENDA FOR THE COMMON COUNCIL MEETING OCTOBER 21, 1998

1. A RESOLUTION TO SUPPLY EDWARD F. REAGAN WATER FOR HIS PROPERTY LOCATED AT 4 & 40 IN THE TOWN OF NORTH GREENBUSH.
2. A RESOLUTION AUTHORIZING THE LETTING OF BIDS FOR A SIGNAL REPLACEMENT AT THE INTERSECTION OF WASHINGTON AVENUE AND FORBES AVE. IN THE CITY OF RENSSELAER.
3. A RESOLUTION TO REPAY RICHARD & AMY MOONEY, 1326 FIRST STREET, RENSSELAER FOR BILL RECEIVED TO 1998-1999 CITY TAX IN THE AMOUNT OF \$33.66. *Tabled*
4. A RESOLUTION AUTHORIZING A CURB LOWERING AT 1110 WASHINGTON AVE. RENSSELAER, NEW YORK.

Hahn

alderperson ~~Bridenbeck~~ made a motion to amend the agenda to add Resolution's number 5 and 6 seconded by ~~Bridgeford~~ Bridenbeck

5. A Resolution Authorizing a Bond Making Certain Improvements to the existing Water Storage Tank located on Grandview Drive in the Town and the Construction of a new 4,000,000 Gallon Water Storage Tank.
6. 53 Partition St. for the Demolition of 53 Partition St.

Vote to amend the agenda

	AYES	NOES
BONNIE HAHN	✓	
ALBERTINE FELTS	✓	
JOHN J. DWYER		
LEE BRIDENBECK	✓	
MICHAEL STAMMEL	✓	
BRIAN STALL	✓	
STEVEN GREEN		
MICHAEL BRIDGEFORD	✓	
MARY ROWELL	✓	
STEVEN POOLE		
TOTAL	7	0

CITY OF RENSSELAER
IN
COMMON COUNCIL
REGULAR MEETING
OCTOBER 21, 1998

THE COUNCIL CONVENED AT 8:10 P.M. AND WAS CALLED TO ORDER BY
ACTING PRESIDENT STAMMEL.

THE ROLL BEING CALLED THE FOLLOWING ANSWERED TO THEIR NAMES:

PRESIDENT POOLE-

ALDERPERSON: HAHN
FELTS
BRIDENBECK

ALDERPERSON: STALL
GREEN

DWYER
STAMMEL

BRIDGEFORD
ROWELL

ABSENT: PRESIDENT POOL, ALDERMAN GREEN, AND ALDERMAN DWYER.

ALDERPERSON BRIDGEFORD MOVED THAT THE MINUTES BE ADOPTED AS
PRINTED SUBJECT TO CORRECTIONS SECONDED BY ALDERPERSON
BRIDENBECK.

COMMUNICATIONS: NONE

PETITIONS: NONE.
CLAIMS: NONE

BIDS: NONE

COMMITTEE REPORTS: COMMUNITY SERVICES

A MOTION WAS MADE BY ALDERPERSON HAHN, TO AMEND THE AGENDA AND ADD RESOLUTION'S NUMBER 5 AND 6, SECONDED BY ALDERPERSON BRIDENBECK.

- 5) A RESOLUTION AUTHORIZING A BOND MAKING CERTAIN IMPROVEMENT TO THE EXISTING WATER STORAGE TANK LOCATED ON GRANDVIEW DRIVE IN THE TOWN AND THE CONSTRUCTION OF A NEW 4,000,000 GALLON WATER STORAGE TANK.
- 6) A RESOLUTION FOR DEMOLITION OF 53 PARTITION STREET.

VOTE TO AMEND THE AGENDA:

AYES: HAHN, FELTS, BRIDENBECK, STAMMEL, STALL, BRIDGEFORD, ROWELL

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

A MOTION WAS MADE BY ALDERPERSON HAHN TO ADJOURN AT 9:52 P.M. SECONDED BY ALDERPERSON ROWELL.

AYES: HAHN, FELTS, BRIDENBECK, STAMMEL, STALL, BRIDGEFORD, ROWELL.

NOES: NONE.

NEXT MEETING: NOVEMBER 4, 1998

By Alderperson Bridenebck
Seconded by Alderperson Hahn

A RESOLUTION TO SUPPLY EDWARD F. REAGAN WATER FOR HIS PROPERTY LOCATED AT 4 & 40 IN THE TOWN OF NORTH GREENBUSH

WHEREAS, Edward F. Reagan maintains a building at Routes 4 & 40 in the town of North Greenbush, and

WHEREAS, the City of Rensselaer and the Town of East Greenbush maintain a joint water district which has an agreement with the Town of North Greenbush for providing water, and

WHEREAS, the Town of North Greenbush has agreed to extend its Water District No. 4 to include the location of the Reagan's parcel along Route 4 in said Town, and

WHEREAS, the Reagans have desired to connect to the Joint Water District since 1993, and

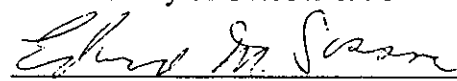
WHEREAS, in the past the City was in favor of the connection provided that it is within a Water District for the Town of North Greenbush, and

WHEREAS, the proposed extension of North Greenbush Water District No. 4 to include the Reagan parcel is in general agreement with the Joint Water District Contract with North Greenbush, and

WHEREAS, by extending and including Reagan's in this Water District it will provide additional revenues to the Joint Water District

NOW THEREFORE BE IT RESOLVED, that contingent upon prove of the extension of the Water District No. 4 to include the Reagan parcel in the Town of North Greenbush and contingent upon the mutual consent of the Town of East Greenbush our counter part in the Joint Water District and contingent upon the review and satisfaction of the plans and installation of the connection of Reagan's to the Joint Water District that the Common Council for the City of Rensselaer hereby approve the connection to the extended Water District No. 4 for the Joint Water District for the Town of North Greenbush.

Approved as to form and sufficiency
This 21st day of October 1998



Corporation Counsel

Approved: Linda M. Ganance
Mayor

Ayes: Hahn, Felts, Bridenebck, Stammel, Stall, Bridgeford, Rowell.
Noes: None. The Acting President declared this resolution duly adopted.

By Alderperson Bridgeford

By Alderperson Hahn

RESOLUTION TO REPAY RICHARD & AMY MOONEY, 1326 FIRST STREET, RENSSELAER FOR BILL RELEVIED TO 1998-1999 CITY TAX IN THE AMOUNT OF \$33.66.

WHEREAS, the Solid Waste bill for the property located at 1326 First Street, Rensselaer was relevied to the 1998/1999 City Taxes, and

WHEREAS, said bill was transferred to the City Taxes in error and Mr. Mooney paid his taxes on September 12, 1998

NOW THEREFORE BE IT RESOLVED, that the City Treasurer is hereby authorized to pay Richard & Amy Mooney, 1303 Second Street, Rensselaer, the amount of \$33.66 for solid waste on property located at 1326 First Street, Rensselaer.

Approved as to form and sufficiency
This 21st day of October 1998



Corporation Counsel

Approved: _____
Mayor

A Motion was made by Alderperson Bridgeford to Table this resolution seconded by Alderperson Hahn.

Vote to Table:

Ayes: Hahn, Felts, Bridenebck, Stammel, Stall, Bridgeford, Rowell.

Noes: None. The Acting President declared this resolution duly Tabled.

By Alderperson Bridgeford
Seconded by Alderperson Stall

A RESOLUTION AUTHORIZING THE LETTING OF BIDS FOR A SIGNAL REPLACEMENT AT THE INTERSECTION OF WASHINGTON AVENUE AND FORBES AVENUE IN THE CITY OF RENSSELAER

WHEREAS, the Alderperson Steven Green from the Seventh Ward has advised the Common Council that it is in need of replacing the traffic Signal at the intersection of Washington Avenue and Forbes Avenue, in the City of Rensselaer, and

WHEREAS, it is imperative for public safety reasons that the City of Rensselaer move and replace the traffic signal at the intersection of Washington Avenue and Forbes Avenue

NOW THEREFORE BE IT RESOLVED, that Common Council for the City of Rensselaer authorizes and directs that the City Clerk shall cause to be advertised for bid a traffic signal replacement at the intersection of Washington Avenue and Forbes Avenue, in the City of Rensselaer pursuant to the specifications provided therefore.

BE IT FURTHER RESOLVED, that the bids shall be submitted in accordance with the general specifications available to bidders, copies of which are annexed hereto, the office of the City Clerk between the hours of 9:00 A.M. and 4:30 P.M. Weekdays, and

BE IT FURTHER RESOLVED, that all bids shall be submitted with detail specifications of the equipment proposed to be furnished, and

BE IT FURTHER RESOLVED, that the bids will be received at the Office of the City Clerk, Rensselaer City Hall, 505 Broadway, Rensselaer, N.Y. 12144 until 3 P.M. on the 4th day of November 1998 and all bids shall be read aloud quickly in the Common Council Chambers, Second Floor of the City Hall, City of Rensselaer on the 4th day of November 1998. The City Clerk who is hereby designated as the City's Agent, for such purpose, and all bids shall further be accompanied by a Bid Bond in either Certified Check or sufficient surety in the amount equal to 5% of the total bid, and

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

Approved as to form and sufficiency
This 21st day of October 1998
Steven M. Green
Corporation Counsel

Approved: Linda M. Ganance
Mayor

Ayes: Hahn, Felts, Bridenbeck, Stammel, Stall, Birdgeford, Rowell.
Noes: None. The Acting President declared this resolution duly adopted.

By Alderperson ROWELL

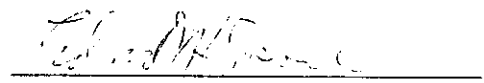
Seconded by Alderperson Bridgeford

**RESOLUTION AUTHORIZING
CURB LOWERING AT
1110 WASHINGTON AVENUE, RENSSELAER,
NEW YORK**

RESOLVED, that the owner of property located at 1110 Washington Avenue, Rensselaer, N.Y.12144, 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,

BE IT FURTHER RESOLVED, this is a permit only and revocable at the will of the Common council.

Approved as to form and sufficiency
This 21st day of October, 1998



Corporation Counsel

Approved Linda M. Ganance
Mayor

curblow

Ayes: Hahn, Felts, Bridenbeck, Stammel, Stall, Bridgeford, Rowell.
Noes: None. The Acting President declared this resolution duly adopted.

Seconded by Alderperson Bridgeford
BOND RESOLUTION

BOND RESOLUTION OF THE CITY OF RENSSELAER, RENSSELAER COUNTY, NEW YORK, ADOPTED OCTOBER 21, 1998, AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS TO THE EXISTING WATER STORAGE TANK LOCATED ON GRANDVIEW DRIVE IN THE TOWN AND THE CONSTRUCTION OF A NEW 4,000,000 GALLON WATER STORAGE TANK ADJACENT THERETO AS PART OF THE JOINT WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE CITY AND THE TOWN OF EAST GREENBUSH, NEW YORK, STATING THE ESTIMATED MAXIMUM COST OF SAID WORK TOGETHER WITH CERTAIN COSTS PRELIMINARY AND INCIDENTAL THERETO IS \$2,825,000, APPROPRIATING ONE HALF OF SAID SUM THEREFOR AND AUTHORIZING THE ISSUANCE OF UP TO \$1,412,500 SERIAL BONDS OF THE CITY TO FINANCE SAID APPROPRIATION.

RECITALS:

WHEREAS, the City of Rensselaer, New York (the "City") and the Town of East Greenbush New York (the "Town") jointly own and operate a water distribution and supply system (the "Water System") to supply and distribute potable water to certain of the residents of said Town and City; and

WHEREAS, the Laberge Group Engineering and Consulting Group, Ltd., a multi-disciplinary engineering firm (the "Laberge Group"), has found that the existing water storage tank located on located on Grandview Drive, in the Town of East Greenbush, New York (which water storage tank is part of the Water System [the "Existing Tank"]) needs to be reconstructed and improved in accordance the recommendations contained in a written report prepared by the

Laberge Group dated September, 1998 and filed with the City and the Town (the "Engineer's Report"); and

WHEREAS, in the Engineering Report, the Laberge Group also recommended that a new 4,000,000 gallon water storage tank (the "New Tank") be constructed on land adjacent to the Existing Tank; and

WHEREAS, the City Council of the City believes it to be in the best interests of the residents of the City served by the Water System to implement the recommendations contained in the Engineer's Report; and

WHEREAS, by resolution adopted on October 21, 1998, the City Council determined that the improvements to the Existing Tank and the construction of the New Tank constituted an "Unlisted Action" (within the meaning of the New York State Environmental Quality Review Act and the regulations promulgated thereunder, collectively "SEQRA") and would not have a significant effect on the environment; and

WHEREAS, the Town Board of the Town has issued a "Negative Declaration" (within the meaning of SEQRA) with respect to the making of the improvements to the Existing Tank and the construction of the New Tank;

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

Section 1. The City of Rensselaer, Rensselaer County, New York (the "City") is hereby authorized, on behalf of the City and the Town, to advertise for bids for and to undertake the making of

the improvements to the Existing Tank and the construction of the New Tank as generally set forth in the Engineer's Report.

Section 2. The estimated maximum cost of making the improvements to the Existing Tank and the construction of the New Tank in accordance with the Engineer's Report, including preliminary costs and costs incidental thereto and the financing thereof is \$2,825,000 and one half of said amount is hereby appropriated therefore. To finance said appropriation, serial bonds of the City are hereby authorized to be issued in the aggregate principal amount of \$1,412,500 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 3. (A) The plan of financing includes issuing up to \$1,142,500 serial bonds of the City in such series and amounts as may be necessary to pay said sum together with other costs. It is anticipated that the Town will pay the other half of such costs also through the issuance of bonds. Additionally, the City is seeking grants of up to 100% of the costs of such construction.

(B) 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 4. The following additional matters are hereby determined and stated:

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

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bonds anticipation notes issued in anticipation thereof, pursuant to Section 107.00 (d)3(a) and (9) of the Law.

(c) Pursuant to Section 34.00 (b)(2) of the Law, this resolution is not subject to a permissive referendum.

(d) The City including any subordinate entity of the City (within the meaning of Section 265(b)(3)(E) of the Internal Revenue Code of 1986, as amended (the "Code"), reasonably does not expect to issue more than \$10,000,000 of "qualified tax-exempt obligations" (as defined in Section 265 (b)(3) of the Code) during the 1998 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 finance the improvements to the Existing Tank and the construction of the New Tank and to pay costs incidental and preliminary thereto (including, without limitation, costs relating to the issuance of the bonds and any notes issued in anticipation of the issuance of said bonds).

Section 5. 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 6. 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 1 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. This resolution is a declaration of official intent under Section 1.150-2 of the Treasury Regulations issued pursuant to the Code.

Section 7. 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 8. 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 9. Subject to the provisions of this resolution and the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 63.00 of the Law, the powers and duties of the City Council relative to prescribing the terms, form and content and as to the sale and issuance of the bonds herein authorized and any notes issued in anticipation of such bonds, or the renewals thereof, are hereby delegated to the Treasurer of the City, the chief fiscal officer of the City.

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

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

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

proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

Section 12. This resolution shall take effect immediately.

Approved as to form and sufficiency
this 21st day of October 1998

Corporation Counsel

Approved: _____
Mayor

Ayes: Hahn, Bridenbeck, Sammel, Bridgeford, Rowell.
Noes: Felts, and Stall.
The Acting President declared this resolution DEFEATED

By alderperson Bridenbeck
Seconded by alderperson Rowell

A resolution declaring conditions at 53 Partition Street, Rensselaer New York an immediate danger to the health safety and welfare of the surrounding neighborhood and requesting its immediate and emergency demolition.

Whereas, the City Engineer, Robert a. Angelini, PE conducted an inspection of premises located at 53 Partition Street, Rensselaer, NY, and identified the building unsafe and demolition necessary to protect the neighborhood, and

Whereas, the Building and Zoning Administrator, upon independent review and reliance upon the aforementioned report, declared the conditions a danger to the health, safety and welfare to the neighborhood, and the Citizens of Rensselaer, and

Whereas, the Building and Zoning Administrator, in addition, believes and declares that the conditions warrant emergency measures for demolition.

Now, therefore, be it resolved, the Common Council for the City of Rensselaer, declare the conditions which exist at 53 Partition Street, Rensselaer, NY a immediate danger to the health, safety, and welfare to the neighborhood, and the Citizens of Rensselaer, and

Be it further resolved, that emergency measures be taken to demolish the aforesaid structure, and

Be it further resolved, that the cost of the demolition to the City Council be levied against the tax rolls for the parcel.

Approved as to form and sufficiency
This 21st day of October, 1998

Edward Sossner
Corporation Counsel

Approved: Linda M. Ganance
Mayor

Ayes: Hahn, Felts, Bridenbeck, Stammel, Stall, Green, Bridgeford, Rowell.
Noes: None. The Acting President declared this resolution duly adopted.

I Maureen G. Nardacci, City Clerk do hereby certify that the foregoing is a true and correct copy of the Common Council Meeting held October 21, 1998.

Maureen G. Nardacci
City Clerk
City of Renseslaer