



# CITY OF RENSSELAER

OFFICE OF

## THE CITY CLERK

RENSSELAER, N. Y.

**JOHN W. YONKERS**  
CITY CLERK

### AGENDA FOR THE COMMON COUNCIL MEETING OF OCTOBER 3, 1984.

1. A resolution authorizing the letting of bids for the removal of tree and stumps and trimming of certain trees.
2. A Resolution requesting the New York State Legislature to limit th Liability Exposure of Local Government Agencies.
3. A resolution Authorizing the Mayor to execute a release to National Union Fire Insurance Company.
4. Handicapped Parking Sign for Harold Preville at 1237 Broadway.
5. Handicapped Parking Sign for James Marvin at 214 East Street.
- 6 Resolution transferring the Control of Chip Funds.
7. A resolution Scheduling a Public Hearing for considering amend-ments to An Ordinance Taxicabs and Taxicab operations .
8. A resolution authorizing the refund of fees collected by the City in payment for taxicab licenses.

claims  
Anne I Winnie

CITY OF RENSSELAER  
 IN  
 COMMON COUNCIL  
 WEDNESDAY EVENING

REGULAR MEETING

The Council convened at o'clock PM and was called to order by President Finlan

The roll being called, the following answered to their names:

President Finlan

Aldermen ~~Mooney~~ Sill  
 Mooney  
 Conklin  
 Chambers

Aldermen Nardacci  
 Falkouski  
 Jeffries  
 Stocklas  
 Frankoski

Alderman *Frankoski* moved that the minutes be adopted as printed, subject to correction.

COMMUNICATIONS FROM THE MAYOR  
 HEADS OF THE DEPARTMENTS, AND CITY OFFICIALS

the Clerk reports that the Mayor had approved of all resolutions passed at the last meeting.

TREASURER'S REPORT  
 PRESENTATION OF ACCOUNTS

PRESENTATION OF PETITIONS AND CLAIMS

RESOLUTIONS

REPORT OF COMMITTEE

Alderman moved to adjourn, seconded by Alderman

	AYES	NOES
EDWARD FINLAN	✓	✓
<i>Sill</i>	✓	✓
JOHN MOONEY	✓	✓
RICHARD CONKLIN	✓	✓
DAVID CHAMBERS		✓
FRED NARDACCI	✓	✓
MICHAEL FALKOUSKI	✓	✓
LESTER JEFFRIES	✓	✓
NICKOLAS STOCKLAS	✓	✓
RAY MOND FRANKOSKI	✓	✓
TOTAL		

WEDNESDAY EVENING

Alderman moved that all bills and payrolls be referred to the Auditing Committee. The City Clerk reports that the City Bills, Water Department Bills, Water Maintenance Payroll and Highway Payroll amounted to:

City Bills	\$ 22,130.52
Water Department Bills	\$ 2,768.42
Water Maintenance Payroll	\$ 3,048.90
Highway Payroll	\$ 20,523.41

Alderman *Frankish* moved seconded by Alderman *Falkowski* that all bills and payrolls be allowed and ordered paid.

	AYES	NOES
EDWARD FINLAN	✓	
<i>Silva</i>	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAGE	✓	
RAYMOND FRANKISH	✓	
TOTAL		

By Alderman Chambers

*Falkowski*

Seconded by Alderman

*Conklin*

A RESOLUTION AUTHORIZING  
THE LETTING OF BIDS  
FOR THE REMOVAL OF TREES  
AND STUMPS AND TRIMMING  
OF CERTAIN TREES ON CITY  
OWNED PROPERTY.

WHEREAS there are certain trees and stumps within the City limits that are either on City owned property or encroaching upon property of the City, and

WHEREAS such trees and stumps are in such condition that they may pose a threat to the public safety or welfare or cause damage to property, and

WHEREAS certain property owners who reside or conduct business adjacent to such trees or stumps have requested their removal or trimming, and

WHEREAS the committee of this Council designated to inspect such trees and stumps has made its report and recommendations.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Rensselaer hereby authorizes and directs the City Clerk to cause to be advertised for bid

(1) the removal of trees at the following addresses:

- 61 South Street
- 1 Fourth Ave.
- 438 Aiken Ave.
- 303 East Street (2)
- 114 Third Avenue
- 132 Third Avenue
- Third Ave. & High St.(corner)
- 440 Broadway (2)
- 85 Lawrence St.
- 104 Wilson St.
- 1511 Broadway
- 1450 Third St.
- 1329 Third St.
- 23 Glen St.
- 1 Catherine St.
- 12 Catherine St.
- 1801 Fourth St.
- 1540 Sixth St.
- 1737 Seventh St.
- 59 Chestnut St.

	AYES	NOES	
EDWARD JILLAN	✓		✓
<i>Sell</i>	✓		✓
JOHN MOONEY	✓		✓
RICHARD CONKLIN	✓		✓
DAVID CHAMBERS			
FRED NARDACCI	✓		✓
MICHAEL FALKOUSKI	✓		✓
LESTER JEFFRIES	✓		✓
NICKOLAS STOCKLAS	✓		✓
RAYMOND FRANKOSKI	✓		✓
TOTAL			

(2) the trimming of trees at the following addresses:

13 Belmore Pl.  
344 South St.  
57 Broadway  
1546 Second St.  
1118 Fourth St.  
1230 Fourth St.  
1540 Sixth St.  
1620 Sixth St.  
1733 Seventh St. (2)  
19 Chestnut St.

(3) the removal of stumps at the following addresses:

6 Broadway  
25 Elm Street  
1224 Third St.  
1119 Fourth St.  
Fifth St. & Dale St.  
1540 Sixth St.

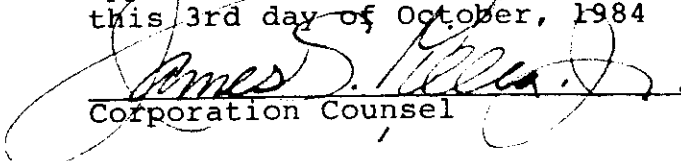
BE IT FURTHER RESOLVED that bids shall be submitted in accordance with general specifications available to bidders at the Office of the City Clerk between the hours of 9 A.M. and 4:30 P.M. weekdays, and in accordance with the recommendations of the Commissioner of Public Works, and

BE IT FURTHER RESOLVED that all bids shall be submitted with detailed specification of the work proposed to be done, and

BE IT FURTHER RESOLVED, that bids will be received at the office of City Clerk, Rensselaer City Hall, 505 Broadway, Rensselaer, New York 12144, until 3: P.M., October 17, 1984, and all bids received shall be opened and read aloud at the regular meeting of this Council to be held at 8:00 P.M. on October 17, 1984, by the City Clerk who is hereby designated 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 an amount equal to five (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 so submitted, to waive any informalities discovered therein, to readvertise for new bids at its discretion, and, in case of 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 3rd day of October, 1984

  
\_\_\_\_\_  
Corporation Counsel

By Alderman Chambers

Seconded by Alderman

*Anderson*

A RESOLUTION REQUESTING  
THE NEW YORK STATE LEGISLATURE  
TO LIMIT THE LIABILITY EXPOSURE  
OF LOCAL GOVERNMENT AGENCIES

WHEREAS in recent years the cost of tort liability for local government has increased dramatically, especially in New York State; and

WHEREAS New York is one of only two states with unlimited liability exposure for local government entities; and

WHEREAS such unlimited liability has caused serious fiscal problems for local government budgets which, combined with reductions in federal assistance and volatile economic conditions, threatens the financial health of public treasuries and diverts limited tax dollars from the provision of essential services; and

WHEREAS the unpredictability of large damage awards and settlements is a constant threat to many of the State's smaller jurisdictions which may simply not be able to afford a catastrophic loss; and

WHEREAS the State Legislature can take action to moderate local government liability at no cost to the State; be it

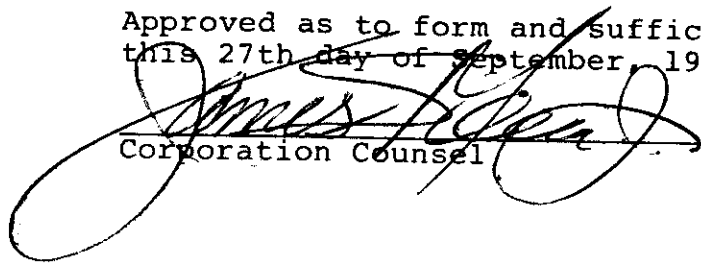
RESOLVED that the City of Rensselaer by its Common Council respectfully requests the New York State Legislature to pass, and the Governor to sign into law (a) bill(s) for the purpose and effect of:

1. Amending the doctrine of joint and several liability to limit damages governmental defendants are required to pay to their equitable share of judgements;
2. Limiting recovery for non-economic losses (e.g., pain and suffering) to cases where significant injury is proven according to objective standards;
3. Establishing a reasonable cap on recovery against governmental tort defendants or some other appropriate means of limiting local government liability; and be it further

RESOLVED that this City urges the State Legislature to act favorably on the legislation currently pending before it, or a comparable alternative thereto, which would accomplish the aforementioned goals; and be it further

RESOLVED that this resolution be sent to Governor Cuomo and the members of the New York State Legislature.

Approved as to form and sufficiency  
this 27th day of September, 1984

  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
<i>Bill</i> FINLAN	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOWSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

By Alderman CHAMBERS

Seconded By Jalby

A RESOLUTION AUTHORIZING  
THE MAYOR OF THE  
CITY OF RENSSELAER  
TO EXECUTE A RELEASE  
TO NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURG, PA.

WHEREAS the City of Rensselaer was a named defend in a civil action entitled "Nettie Mae Starks, As Administratrix of the Estate of Sammie Lee Pompey, Deceased v. Russell T. Lockenwitz d/b/a Crown Demolition Co. and Browning Ferris Industries of New York, Inc. and the City of Rensselaer, New York." and

WHEREAS the action was defended by the National Union Fire Insurance Company of Pittsburg, Pa., and

WHEREAS the City was named insured on the liability of Crown Demolition Co. pursuant to the demolition contract, and

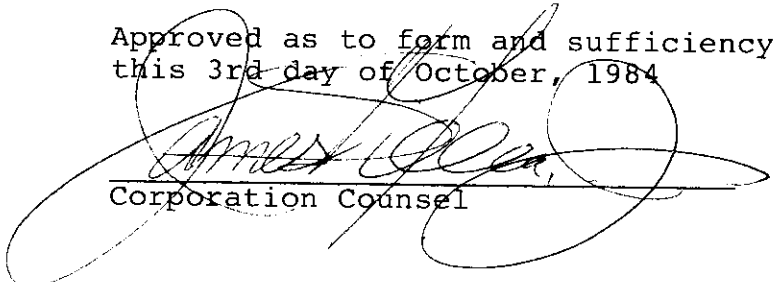
WHEREAS following settlement of the main action, a separate legal proceeding was instituted against National Union Fire Insurance Company of Pittsburg, Pa. to recover legal fees in the amount of \$2,575.02 as and for the cost of the City's defense, and

WHEREAS National Union Fire Insurance Company of Pittsburg, Pa. has now agreed to pay the aforesaid amount,

NOW BE IT RESOLVED that the Mayor of the City of Rensselaer is hereby authorized to execute a release to National Union Fire Insurance Company of Pittsburg, Pa. and Russell R. Lockenwitz d/b/a Crown Demolition Co. to be delivered upon the payment of the sum of \$2,575.02 to the City of Rensselaer.

	AYES	NOES
EDWARD FINLAN	✓	
	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL PALNOSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

Approved as to form and sufficiency  
this 3rd day of October, 1984

  
Corporation Counsel

By Alderman Jeffries

Falkowski

RESOLVED, that the Common Council hereby authorized the designation of a disabled person parking permit for a distance of 20 feet in front of the premises on 1234 Broadway for the convenience of Harold Peville.

BE IT FURTHER RESOLVED, that the commissioner of Public Works be and he hereby is authorized and directed to erect the necessary sign(s) for the purpose of carrying out this resolution.

Approved as to form and sufficiency  
this 3rd day of October 1984.

James P. [Signature]  
Corporation Counsel

*99 Washed*

	AYES	NOES
EDWARD FINLAN	✓	
<i>Self</i>	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED MARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

By Alderman Mooney Conklin

RESOLVED, that the Common Council hereby authorized the designation of a disabled person parking permit for a distance of 20 feet in front of the premises on 214 East Street for the convenience of James Marvin.

BE IT FURTHER RESOLVED, that the commissioner of Public Works be and he hereby is authorized and directed to erect the necessary sign(s) for the purpose of carrying out this resolution.

Approved as to form and sufficiency  
this 2nd day of July 1984.

James J. Dea  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
<u>Bill</u> FUSCO	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

By Alderman ~~Chambers~~ *Falombachi*

Seconded By Alderman *Worley*

A RESOLUTION AUTHORIZING  
THE REFUND OF FEES  
COLLECTED BY THE CITY IN  
PAYMENT FOR TAXICAB  
LICENSES.

WHEREAS by an ordinance adopted by this Council on July 3, 1984, for the regulation of taxicabs, their owners and operators, it was provided, among other things, that the cost of t taxicab license or medallion would be \$100.00 and the effective date of the ordinance would be September 1, 1984, and

WHEREAS it was also provided in said ordinance that the number of taxicab licenses or medallions would be limited to 22, and

WHEREAS at a lottery conducted by the City Clerk on August 1, 1984, there were 22 successful bidders for said licenses or medallions, and

WHEREAS eighteen of said successful bidders have since paid for and received licenses or medallions in accordance with the terms of the aforesaid ordinance, and

WHEREAS this Council has since increased the allowable number of licenses or medallions to fifty and amended the effective date of the ordinance to November 1, 1984, and

WHEREAS it would appear to be fair and equitable to refund to those successful bidders aforesaid the amount of the fee paid for their license or medallion if they do not elect to retain the same under the aforesaid ordinance as amended.

NOW THEREFORE BE IT RESOLVED that the City Clerk is hereby authorized and directed to accept the return of any taxicab license or medallion issued by him pursuant to the lottery of August 1, 1984, up to 4:30 P.M. on October 26, 1984, and

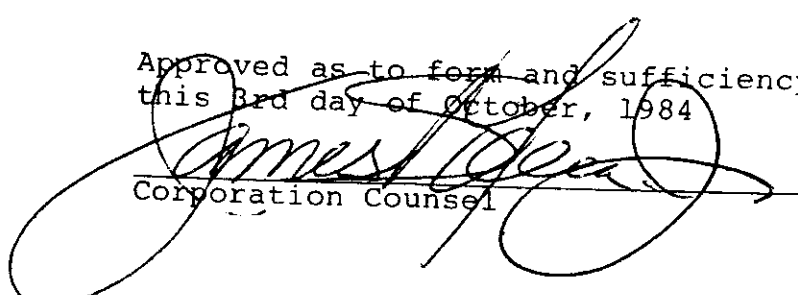
BE IT FURTHER RESOLVED that the City Clerk be and he hereby is authorized and directed to give notice in writing of this resolution to all of those persons or companies who have obtained a taxicab license or medallion pursuant to the lottery of August 1, 1984, and

BE IT FURTHER RESOLVED that upon certification by the City Clerk that a taxicab license or medallion has been returned or surrendered pursuant to this resolution

in a timely manner, the City Treasurer is authorized to refund to that person or company returning or surrendering such license or medallion the amount of the fee or fees paid therefor, and

BE IT FURTHER RESOLVED that the City Clerk shall in no event accept the surrender or return of taxicab medallions subsequent to 4:30 P.M. on October 26, 1984.

Approved as to form and sufficiency  
this 3rd day of October, 1984

  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
MICHAEL FRANK	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

By Alderman Chambers

Seconded By Alderman Nardacci

A RESOLUTION SCHEDULING  
A PUBLIC HEARING FOR  
THE PURPOSE OF CONSIDERING  
AMENDMENTS TO "AN ORDINANCE  
TO LICENSE AND REGULATE  
TAXICABS AND TAXICAB OPERATIONS,  
OWNERS AND DRIVERS IN THE  
CITY OF RENSSELAER" AS ADOPTED  
AND PASSED BY THIS COUNCIL  
ON JULY 3, 1984.

WHEREAS there appears to be some necessity for the amendment and clarification of certain sections of AN ORDINANCE TO LICENSE AND REGULATE TAXICABS AND TAXICAB OPERATIONS, OWNERS AND DRIVERS IN THE City OF Rensselaer, and

WHEREAS the Corporation Counsel has drafted and prepared proposed amendments to the existing ordinance.

NOW THEREFORE BE IT RESOLVED that a public hearing concerning the adoption of said amendments be conducted by the Common Council on October 17, 1984, at 7:45 P.M. in the Common Council Chambers, City Hall, City and County of Rensselaer, New York, and

BE IT FURTHER RESOLVED that notice of such public hearing be posted in accordance with the statutory requirements in such cases made and provided.

Approved as to form and sufficiency  
this 3rd day of October, 1984

James S. Tillea, Jr.  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
MICHAEL FUSCO	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		

Resolution # Jeffery  
By Alderman Frankoski

WHEREAS, the East Greenbush Girls Softball League graciously accepted many young girls from our city to play in their league and,

WHEREAS, without this gesture, these girls would not have had the opportunity to play in an organized league,

NOW, THEREFORE, BE IT RESOLVED THAT, the Common Council of the City of Rensselaer, New York hereby recognizes and appreciates the time and effort put forth by the East Greenbush Girls Softball League to accommodate these girls and,

BE IT FUTHER RESOLVED THAT, the President of the Common Council be & he hereby is authorized to present to the East Greenbush Girls Softball League a plaque in appreciation of their efforts.

EDWARD FINLAN  
JOHN MOONEY  
RICHARD CONKLIN  
DAVID CHAMBERS  
FRED NARDACCI  
MICHAEL FALKOUSKI  
LESTER JEFFRIES  
NICKOLAS STOCKLAS  
RAYMOND FRANKOSKI

AYES	NOES
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

Approved as to form and sufficiency  
this 3rd day of October, 1984

Corporation Counsel

Resolution # Mooney

By Alderman Frankoski

WHEREAS, the East Greenbush Babe Ruth League graciously accepted many young boys from our city to play in their league and,

WHEREAS, without this gesture, these boys would not have had the opportunity to play in an organized league,

NOW, THEREFORE, BE IT RESOLVED THAT, the Common Council of the City of Rensselaer, New York hereby recognizes and appreciates the time and effort put forth by the East Greenbush Babe Ruth League to accommodate these boys and,

BE IT FUTHER RESOLVED THAT, the President of the Common Council be & he hereby is authorized to present to the East Greenbush Babe Ruth League a plaque in appreciation of their efforts.

Approved as to form and sufficiency  
this 3rd day of October, 1984

*[Handwritten Signature]*  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
MICHAEL FUSCO	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
DAVID CHAMBERS		
FRED NARDACCI	✓	
MICHAEL FALKOUSKI	✓	
LESTER JEFFRIES	✓	
NICKOLAS STOCKLAS	✓	
RAYMOND FRANKOSKI	✓	
TOTAL		