



# CITY OF RENSSELAER

## OFFICE OF THE CITY CLERK

RENSSELAER, N. Y.

MAUREEN G. NARDACCI  
City Clerk

Telephone: (518) 462-4266

### AGENDA FOR THE COMMON COUNCIL MEETING

DECEMBER 7, 1988

1. Resolution transferring additional monies from the Contingent Fund to support the position of Acting Building and Zoning Administrator for an additional period of time.
2. City Treasurer authorized to accept a check in the amount of \$32,310.23 for settlement in said litigation against Ashland Chemical.
3. City Treasurer to reimburse Mr. William J. Lyons for overpayment of \$45.00.
4. BAN in the amount of \$31,000.00 for the purpose of paying for the cost of miscellaneous street improvement-Contract # 6- Callanan Road Improvement Company.
5. BAN in the amount of \$ 400,000.00 for the purpose of paying for the cost of the City share of Construction of South Street- Route 9J.
6. A Resolution awarding the Contract for Tree and Stump Removal and Trimming Contract and Authorizing the Mayor to enter into a Contract Therefore.
7. A Resolution to sell City-Owned property known as 60 Partition Street to mary A. Dodt.
8. An Ordinance establishing a No Parking Zone on First Alley between Walker Street and Green Street.
9. BAN in the amount of \$6,000.00 for the purpose of paying Local Matching Funds for the Broadway and Second Avenue over Mill Creek Bridge Projects.

**CLAIM:**

Pearl Ermma v. The City of Rensselaer

CITY OF RENSSELAER  
IN  
COMMON COUNCIL  
WEDNESDAY EVENING  
REGULAR MEETING  
DECEMBER 7, 1988

The Council convened at 8:00 p.m. and was called to order by President Finlan:

The Roll being called the following answered to their names:

President Finlan ✓

Alderman: Sill ✓  
Mooney ✓  
Conklin ✓  
Yonkers ✓

Alderman: Nardacci ✓  
Falkouski ✓  
Fahrenkopf ✓  
Stocklas ✓  
Puls ✓

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

COMMUNICATION FROM THE MAYOR  
HEAD OF DEPARTMENT, AND CITY  
OFFICIALS

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

TREASURER'S REPORT  
PRESENTATION OF PETITIONS AND CLAIMS  
RESOLUTIONS  
REPORT OF COMMITTEES

Alderman *Mooney* moved to adjourn at 8:45 p.m. seconded  
by Alderman *Puls*

*Mooney*

CLAIMS: Pearl Emma VS: The City of Rensselaer

Next Meeting: December 21, 1988

CITY OF RENSSELAER  
COMMON COUNCIL

WEDNESDAY EVENING

Alderman Mooney 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, Highway Payroll and Planning & Development Agency amounted to:

CITY BILLS:	\$37,886.21
WATER DEPARTMENT BILLS:	\$ 3,586.40
WATER MAINTENANCE PAYROLL:	\$ 6,388.57
HIGHWAY PAYROLL:	\$19,618.65
PLANNING & DEVELOPMENT AGENCY:	\$69325.61-CDBG \$11464.69-Rental Rehab

Alderman Mooney moved seconded by Alderman Conklin that all bills and payrolls be allowed and ordered paid.

	AYES	NOES
EDWARD FINLAN	✓	
EDWARD SILL	✓	
JOHN MOONEY	✓	
RICHARD FINN	✓	
ALBERTO SCIACCI	✓	
KENNETH FALKOUSKI		
ROBERT FAHRENKOPF	✓	
NICHOLAS STOCKLAS	✓	
DENNIS PULS	✓	
TOTAL		

Motion made by Alderman Mooney  
 Seconded by Alderman Sill

RESOLUTION TRANSFERRING ADDITIONAL  
 MONIES FROM THE CONTINGENT FUND TO  
 SUPPORT THE POSITION OF ACTING BUILDING  
 AND ZONING ADMINISTRATOR FOR AN ADDITIONAL  
 PERIOD OF TIME

WHEREAS, the Building and Zoning Administrator, William Marlow, has been incapacitated by illness and, consequently, will be absent for a period of some weeks; and

WHEREAS, on 18 October 1988, the Mayor exercised his authority under Section 2 of the Building and Zoning Administrator Rules (Local Law #2 of 1979) to appoint Francis X. Farrell of 9 Riverside Avenue, Rensselaer, New York, as Acting Building and Zoning Administrator until such time as Mr. Marlow was well enough to resume his duties; and

WHEREAS, at its meeting of 19 October 1988, the Common Council confirmed the appointment and transferred \$3,120.00 from the Contingent Fund of the General Fund, which was enough to fund the position for 210 hours of work at \$11.00 an hour, plus a 35% allotment for fringe benefits; and

WHEREAS, Mr. Marlow has not yet fully recovered and, therefore, cannot at this time resume his duties as Building and Zoning Administrator

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Rensselaer transfers an additional \$4,956.00 from the Contingent Fund of the General Fund (Budget Code: A1990-0), which amount is sufficient to support 333 hours of work, plus a 35% allotment for fringe benefits, this being sufficient to fund the position full time through the last week of January 1989. If the Acting Building and Zoning Administrator works a lesser number of hours, remaining monies shall be returned to the Contingent Fund.

Of this allotment, \$3,663.00 will be applied to budget code A8020-1 for the salary and \$275.09 to budget code A9030-8 for Social Security, \$267.40 to budget code A9018-0 for the State Retirement System, \$7.33 to budget code A9040-8 for Workmen's Compensation and remaining \$743.18 to budget code A9060-8 for health insurance.

Approved as to Form and Sufficiency  
 this 17th day of December 1988

James S. Green  
 Corporation Counsel

Maurice M. Nardacci 12/8/88  
 City Clerk Date

Joseph E. Harrigan 12/17/88  
 Mayor Date

	AYES	NOES
EDWARD FINLAN	✓	
EDWARD SILL	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
John Yankers	✓	
FRED NARDACCI	✓	
MICHAEL FALKOUSKI		
ROBERT FAHRENKOPF	✓	
NICHOLAS STOCKIAS	✓	
DENNIS PULS	✓	
TOTAL	9	0

BY ALDERMAN Mooney

SECONDED BY ALDERMAN Fahrenkopf

RESOLUTION AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER IN THE AMOUNT OF \$31,000.00 IN ANTICIPATION OF THE ISSUANCE OF \$31,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING FOR THE COST OF MISCELLANEOUS STREET IMPROVEMENTS-CONTRACT #6-CALLANAN ROAD IMPROVEMENT COMPANY.

EDWARD FINLAN  
EDWARD SILL  
JOHN MOONEY  
RICHARD CONKLIN  
John Tonkers  
FRED NARDACCI  
MICHAEL FALKOUSKI  
ROBERT FAHRENKOPF  
NICHOLAS STOCKLIAS  
DENNIS PULS  
TOTAL

AYES	NOES
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

WHEREAS, the City of Rensselaer has heretofore authorized and issued a Bond Anticipation note in the amount of \$119,000.00 on the 23rd of December 1985 to mature on the 23rd of December 1986 for the purpose of paying for the cost of Miscellaneous Street Improvements -Contract #6-Callanan Road Improvement Company, and

WHEREAS, a portion of said \$119,000.00 was paid on December 23, 1986, to wit, the sum of \$23,000.00 and a new note issued in the amount of \$96,000.00 on December 23, 1986 to mature on December 23, 1987 and,

WHEREAS, a portion of said \$96,000.00 note was paid on December 23, 1987, to wit, the sum of \$30,000.00 and a new note issued in the amount of \$66,000.00 on December 23, 1987 to mature December 23, 1988, and,

WHEREAS, a portion of said \$66,000.00 note will be paid on December 23, 1988, to wit, the sum of \$35,000.00 and a new note issued in the sum of \$31,000.00 on December 23, 1988 to mature December 31, 1989, NOW THEREFORE,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RENSSLAER AS FOLLOWS:

SECTION 1. There shall be issued one Bond Anticipation note in the amount of \$31,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds of the City authorized by resolution of the Common Council dated December 18, 1985. Said note shall be issued for the purpose of renewing the Bond Anticipation note hereinbefore described. Neither was the note hereinbefore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

SECTION 2. The note herein 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.

SECTION 3. The note herein authorized shall be dated December 23, 1988 and mature December 23, 1989.

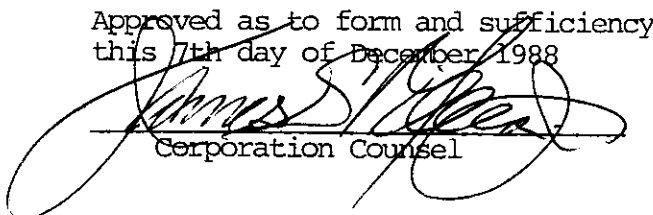
SECTION 4. The Treasurer of the City is hereby authorized and directed to proceed with the sale of said note at private sale for not less than par and accrued interest at a rate in accordance with the Local Finance Law of the State of New York. The Treasurer is hereby authorized to determine all matters in relation to said note not specifically determined by said resolution.

SECTION 5. The faith and credit of the City of Rensselaer 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.

SECTION 6. This note has been designated by the issuer as a "Qualified Tax Exempt Obligation" pursuant to the provisions of Section 265 of the Internal Revenue Code of 1986, as amended.

SECTION 7. This resolution shall be dated December 7, 1988 and shall take effect immediately.

Approved as to form and sufficiency  
this 7th day of December 1988

  
Corporation Counsel



BY ALDERMAN Mooney  
 SECONDED BY ALDERMAN Sill

	AYES
EDWARD FINLAN	✓
EDWARD SILL	✓
JOHN MOONEY	✓
RICHARD CONKLIN	✓
John Yonkers	✓
FRED NARDACCI	✓
MICHAEL FALKOUSKI	
ROBERT FAHRENKOPF	✓
NICHOLAS STOCKLAS	✓
DENNIS PULS	✓
TOTAL	

RESOLUTION AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER IN THE AMOUNT OF \$400,000.00 IN ANTICIPATION OF THE ISSUANCE OF \$400,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING FOR THE COST OF THE CITY SHARE OF CONSTRUCTION OF SOUTH STREET-ROUTE 9J.

WHEREAS, the City of Rensselaer has heretofore authorized and issued a Bond Anticipation Note in the amount of \$480,000.00 on the 29th day of December 1987 to mature on the 29th day of December 1988 for the purpose of paying for the cost of the City Share of Construction of South Street-Route 9J, and

WHEREAS, a portion of said \$480,000.00 will be paid on December 29, 1988, to wit, the sum of \$80,000.00 and a new note issued in the amount of \$400,000.00 on December 29, 1988 to mature December 29, 1989; 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 \$400,000.00 by the City of Rensselaer in anticipation of the issuance of Serial Bonds of the City, authorized by resolution dated December 16, 1987 and adopted by the Common Council. Said note shall be issued for the purpose of renewing the Bond Anticipation note hereinbefore described. Neither was the note hereinbefore issued nor is this note issued in anticipation of the sale of bonds for an assessable improvement.

SECTION 2. The note herein 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.

SECTION 3. The note herein authorized shall be dated December 29, 1988 and mature December 29, 1989.

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 the Local Finance Law of the State of New York. 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 of Rensselaer 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 redeemed as provided by the Local Finance Law.

SECTION 6. This note has been designated by the issuer as a "Qualified Tax Exempt Obligation" pursuant to the provisions of Section 265 of the Internal Revenue Code, as amended.

SECTION 7. This resolution shall be dated December 7, 1988 and shall take effect immediately.

Approved as to form and sufficiency  
 this 7th day of December 1988

*James J. [Signature]*  
 Corporation Counsel

By Alderman Yonkers

Seconded By Alderman *Fahrenkopf*

A RESOLUTION TO SELL  
CITY-OWNED PROPERTY KNOWN  
AS 60 PARTITION STREET TO  
MARY A. DODT.

WHEREAS one Mary A. Dodt, owner of property at 56 and 58 Partition Street, City of Rensselaer, had expressed an interest in purchasing City-owned property known and designated as No. 60 Partition Street, 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 neither of the other landowners abutting No. 60 Partition Street have responded to the inquiry of the Corporation Counsel, and

WHEREAS the City has caused an appraisal of said premises to be made by Catherine Bradley, and

WHEREAS the appraised value of said parcel is \$1,000.00, and the cost of preparation of said appraisal is \$150.00.

NOW THEREFORE BE IT RESOLVED that the City of Rensselaer sell its real property known and designated as No. 60 Partition Street to Mary A. Dodt for the sum of \$1,150.00 plus any current taxes owned and the cost of advertising, if any, 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 to said premises to Mary A. Dodt.

Approved as to form and sufficiency  
this *30* day of December, 1988.

*James S. [Signature]*  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
EDWARD SILL	✓	
JOEY MOONEY	✓	
EDWARD CONKLIN	✓	
<i>John Yonkers</i>	✓	
FRED NARDACCI	✓	
MICHAEL FALKOUSKI		
EDWARD FAHRENKOPF	✓	
EDWARD SLODKAS	✓	
JOHN PULS	✓	
TOTAL		

By Alderman Sill

Seconded By Alderman *Conklin*

AN ORDINANCE ESTABLISHING  
A NO PARKING ZONE  
ON FIRST ALLEY  
BETWEEN WALKER STREET  
AND GREEN STREET.

The City of Rensselaer, in Common Council convened, does hereby ordain and enact;

1. There is hereby established a NO PARKING zone prohibiting the parking on First Alley between Walker Street and Green Street for a distance of 130 feet on the north side of First Alley.

2. The zone shall be adequately marked by the posting of signs therein and thereupon.

3. Any person, individual or corporation violating the provisions of this Ordinance shall be subject to a fine of not less than \$15.00 for each violation.

Approved as to form and sufficiency  
this *5th* day of December, 1988.

*James Sill*  
Corporation Counsel

	AYES
EDWARD FINLAN	✓
EDWARD SILL	✓
JOHN MOONEY	✓
RICHARD CONKLIN	✓
<i>John Vonkers</i>	✓
FRED NARDACCI	✓
MICHAEL FALKOUSKI	
ROBERT FAHRENKOPF	✓
NICHOLAS STOCKLAS	✓
DENNIS PULS	✓
TOTAL	

By Alderman Sill

Seconded By Alderman Conklin

A RESOLUTION AWARDDING THE  
CONTRACT FOR TREE AND STUMP REMOVAL  
AND TRIMMING CONTRACT TO Onderdonk's Tree Service  
AND AUTHORIZING THE MAYOR  
TO ENTER INTO A CONTRACT THEREFORE.

WHEREAS, at a meeting of the Rensselaer Common Council held on the 7th day of December 1988, bids were received for the removal of certain trees and stumps and trimming of other trees pursuant to public advertisement according to the law, and

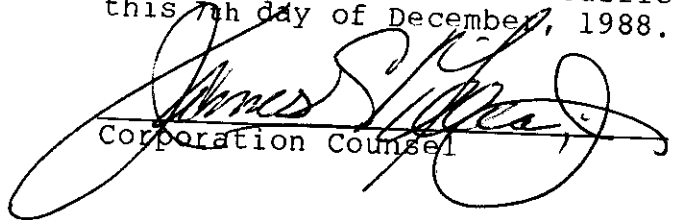
WHEREAS the lowest acceptable bid was submitted by Onderdonk's Tree Service in the amount of \$10,452.50, and

WHEREAS said bid was proper in form and contained the necessary bond in the amount of 5% of the bid.

NOW, BE IT RESOLVED, that the contract for the removal of certain trees, stumps and trimming is hereby awarded to Onderdonk's Tree Service, of Schodack, New York for the sum of \$10,452.50.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and empowered to execute a contract with Onderdonk's Tree Service upon approval by the Office of Corporation Counsel.

Approved as to form and sufficiency  
this 7th day of December, 1988.

  
Corporation Counsel

	AYES	NOES
EDWARD FINLAN	✓	
EDWARD SILL	✓	
JOHN MOONEY	✓	
RICHARD CONKLIN	✓	
John Tonkers	✓	
FRANK NARDACCI	✓	
MICHAEL FALKOUSKI		
ROBERT FAHRENKOPF	✓	
NICHOLAS STOCKLAS	✓	
DENNIS PULS	✓	
TOTAL		

BY ALDERMAN Puls

SECONDED BY ALDERMAN Stocklas

WHEREAS, the City received the sum of \$45.00 for a permit for an addition to Lyons Funeral Home on October 24, 1988, and

WHEREAS, said permit should have been in the sum of \$450.00, and

WHEREAS, the City received a check from Mr. William Lyons for said permit on November 30, 1988 for \$450.00 and,

WHEREAS, the City Treasurer reimbursed Mr William J. Lyons the sum of \$45.00 on November 30, 1988, NOW THEREFORE

BE IT RESOLVED, that the action taken by the Treasurer to reimburse Mr. William J. Lyons for overpayment of \$45.00 be ratified and confirmed.

Approved as to form and sufficiency  
this 7th day of December 1988

*James Stocklas*  
Corporation Counsel

	AYES
EDWARD FINLAN	✓
EDWARD SILL	✓
JOHN MOONEY	✓
RICHARD CONKLIN	✓
John Yankers	✓
FRED NARDACCI	✓
MICHAEL FALKOUSKI	✓
ROBERT FAHRENKOPF	✓
NICHOLAS STOCKLAS	✓
DENNIS PULS	✓
TOTAL	

163

BY ALDERMAN StocklasSECONDED BY ALDERMAN Puls

WHEREAS, the City Treasurer has received a check from Pattison, Sampson, Ginsberg & Griffin, P.C. in the amount of \$32,310.23, and

WHEREAS, said amount is for satisfaction for damages sustained at the Cross Street Pumping Station and was in litigation against Ashland Chemical,

NOW THEREFORE, BE IT RESOLVED, that the City Treasurer is hereby authorized to accept said check in the sum of \$32,310.23 for settlement in said litigation and deposit said check to the Water Department Account of the City.

Approved as to form and sufficiency  
this 7th day of December 1988.

James S. Millea, Jr.  
Corporation Counsel

Ayes: Finlan, Sill, Mooney, Conklin, Yonkers, Nardacci, Fahrenkopf,  
Stocklas, Puls.

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

I hereby certify that the foregoing is a true and correct copy of the meeting of the Board of Alderman held December 7, 1988.

*Maureen G. Nardacci*

Maureen G. Nardacci  
City Clerk  
City of Rensselaer