

CITY OF RENSSELAER
IN
COMMON COUNCIL

WEDNESDAY EVENING
REGULAR MEETING

8:40 P.M.

The Council convened at Hoogkamp. 8 o'clock p.m. and was called to order by Pres.

The roll being called the following answered to their names:

Pres. Hoogkamp

Alderman: Bullent ✓
Mooney ✓
Lithgow ✓
Buono ✓

Alderman: *Girolami* ✓
~~Farrell~~ ✓
Stewart ✓
Ratcliffe
Leahey
Pratt

Alderman *Stewart* 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

Alderman *Stewart* moved that all bills be referred to the auditing committee.

All bills be allowed and ordered paid.

PRESENTATION OF PETITIONS AND ACCOUNTS

RESOLUTIONS

AYES 10
NAYS 0

Alderman *Stewart* - *Mooney* moved that payrolls be referred to the auditing committee.

The City reports that the Highway Payroll, Water Dept. Payroll audited by the Committee amounted to Highway Payroll \$5,670.78 and Water Dept. Payroll \$737.90.

Alderman *Stewart* moved seconded by Alderman *Mooney* that all payrolls be allowed and ordered paid.

	AYES	NOES
WILLIAM HOGKAMP		
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
<i>Girolami</i> IRWIN STEWART	✓	
EDWARD RATCLIFFE		
DONALD LEAHEY		
WALTER S. PRATT		
TOTAL		

September 22, 1965

New York State Department of Health
84 Holland Avenue
Albany, New York

ATT: Robert D. Hennigan, Director
Bureau of Water Resources Services

Dear Mr. Hennigan:

On April 14, 1965, a joint application between the City of Rensselaer and the Town of East Greenbush was submitted to Mr. William Berner of the Rensselaer County Health Department. It is my understanding that action on this application was delayed pending the hearing before the Water Pollution Control Commission of the City of Rensselaer, which was held yesterday.

At that time, a timetable was agreed upon and in accordance therewith, a comprehensive survey and report is to be submitted no later than September 1, 1966. I am advised by our Engineer that the preparation of this report will take considerable time, particularly in obtaining information on the existing sewers and the normal dry weight flows in the system, which is basically a combined system with numerous outlets discharging into the Hudson River.

Anything that can be done to expedite approval of the application so that work can be started will be greatly appreciated.

Very truly yours,

JAMES S. MILLEA
CORPORATION COUNSEL

JSM:mv

cc John H. Warden, City Clerk
Mr. J. Kenneth Fraser
Mr. John S. Wall
Mr. Anthony T. Pitkiewicz

September 22, 1965

Mr. John Calbreath Burdis
John Calbreath Burdis Associates
17 Elk Street
Albany, New York

Dear Mr. Burdis:

I have been instructed by the Mayor, Common Council and Planning Commission of the City of Rensselaer to advise you that the City cannot and will not wait longer than October 1, 1965, for you to straighten out your difficulties with the New York State Department of Commerce.

It is felt that you have already been extended more than sufficient time since notification to the City of Rensselaer by the State Department of Commerce on June 7, 1965, that it would be unable to enter into a contract with your firm for work under the City's Urban Planning Assistance Program. The City extended this courtesy to you because of your pleasant association with it over the past year, but the time has come for action on our application (still in State Commerce Department). The City has now waited almost four months and the situation remains static. It cannot wait any longer.

You have several times stated that the situation with the State Department of Commerce is being worked out by you. If this is so, a letter to this effect from the Department would result in a further extension, if such letter is received by the City and Planning Commission on or before October 1, 1965. If such letter is not received, the City has no other course open to it save engagement of another planning consultant after such date.

Sincerely yours,

JAMES S. MILLEA
CORPORATION COUNSEL

JSM:mv

cc Hon. Clarence A. McNally
Board of Aldermen
Hon. William S. Sillery

1103 Third Street
Rensselaer, New York
September 15, 1965

The Common Council of Rensselaer, and
The Mayor of Rensselaer
City Hall Building
Rensselaer, New York

Gentlemen:

I would respectfully urge that appropriate steps be initiated promptly to prevent a recurrence Election Night of conditions which prevailed on the evening of last year's election.

I am sure that you all vividly recall the innumerable false alarms which were sounded resulting in danger to the lives of both numerous firemen responding to these calls as well as pedestrian and other traffic being subjected to severe and unnecessary hazards. Furthermore, as a result of the innumerable fires which were started throughout the city at busy intersections a considerable amount of damage to pavement as well as additional hazards resulted.

Surely these acts of vandalism and irresponsibility can be prevented by the reasonable exercise of your authority.

Respectfully yours,

Charles E. Buell
Charles E. Buell

Recd 9/17/65

Referred to Board of Public Safety

September 29, 1965

Board of Aldermen
City Hall
Rensselaer, New York

Gentlemen:

I wish to call to your attention the passage of a new law amending Section 103-d of the General Municipal Law relating to contract bids. Under this new law, effective September 1st, 1965, all bidders are required to submit with any bids on public contracts, a certification stating that:

(1) the bid has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;

(2) that the bid has not been knowingly disclosed to any other bidder or competitor prior to the opening of the bids;

(3) that no attempt has been or will be made to induce any other person or firm to submit or not to submit a bid;

(4) that the statements are accurate under penalty of perjury;

I have prepared a form of certification which will have to be used from now on in connection with all bids. This law applies also to the Rensselaer City School District, and I am forwarding them copy of this letter and copy of the certification which I have prepared.

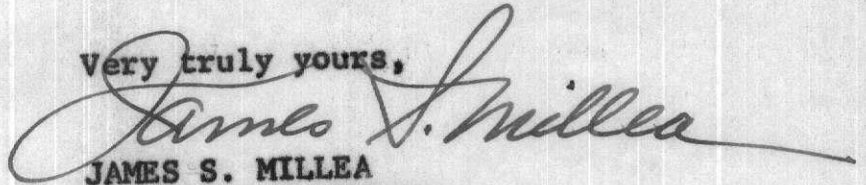
I suggest that the City Clerk immediately order these forms so that they may be given to prospective bidders in the future. I am suggesting the same course be adopted by the Board of Education.

Received & filed

Board of Aldermen
Page -2-
September 29, 1965

The enclosed form is for corporate bidders, but this also can be used by individual bidders by omitting the paragraph relating to corporations.

Very truly yours,



JAMES S. MILLEA
CORPORATION COUNSEL

JSM:mv
Encs.

cc Board of Education /

Received & filed



PAUL D. Mc GINNIS
COMMISSIONER OF CORRECTION
CHAIRMAN

STATE OF NEW YORK
STATE COMMISSION OF CORRECTION
ALBANY 25, N. Y.

COMMISSIONERS
EDWARD R. CASS, NEW YORK.
VICE-CHAIRMAN
JAMES N. COUGLAS, UTICA.
THOMAS G. YOUNG, NEW YORK.
JAMES J. BEHA, NEW YORK.
CHARLES M. TRUNZ, BROOKLYN.
ELIZABETH BASS GOLDING, HEMPSTEAD
PETER CHEMA, YONKERS
CHARLES D. MULLADY
SECRETARY.

September 17, 1965

Mr. John Worden,
City Clerk
Rensselaer, New York

Re: City Jail - Rensselaer

Dear Sir:

The State Commission of Correction has approved the enclosed report of inspection of the City Jail - Rensselaer, dated August 26, 1965.

Very truly yours,

George F. Venter, Jr.
GEORGE F. VENTER, JR.,
Assistant Secretary

/lw
Encl.

CC: Charles Stewart,
Chief of Police

STATE OF NEW YORK

State Commission of Correction

REPORT OF

CITY JAIL - RENSSELAER

County Albany

Date August 26, 1965

Approved SEP 16 1965

MADE BY

Raymond J. Marohn, Inspector

Report of Inspection

CITY JAIL - RENSSELAER

Rensselaer County

Inspected August 26, 1965. Clarence McNally, Mayor; John Worden, City Clerk.

Charles Stewart, Chief of Police, on duty at the time of inspection.

The detention facilities for the city are modern and consist of six cells for males, back-to-back with a separate entrance to each series of three cells, and a detention room for females. They are located on the first floor of the brick municipal building and are adjacent to the office of police headquarters.

The cells and cell rooms in both locations were in their usual satisfactory condition as regards general maintenance and janitorial service. The six cells are equipped with sliding barred doors secured with integral locks, protective screens are at the ends of bunks to prevent injury to a cell occupant when door is operated, wood bunks, vitreous toilets and lavatories. The sanitary facilities and locking devices functioned in a satisfactory manner when tested, and the necessary supplies were available.

The chief of police stated that officers are assigned to the police desk 24-hours a day, and it is their responsibility to make at least hourly visits to the cell section, for males when occupied. The record of such visits which is maintained in an up-to-date manner and in conformance with Commission regulations, revealed that there had been 77 males detained during 1964 and 30 males in 1965 up to the date of this report. No female detentions were recorded in either 1964 or 1965, but a matron is available on occasions when a female is detained.

Satisfactory arrangements are in effect in regard to the feeding of prisoners held over a meal hour and a physician is available, if necessary.

Respectfully submitted,



JAMES S. MILLEA
CORPORATION COUNSEL

CITY OF RENSSELAER
OFFICE OF THE CORPORATION COUNSEL

September 22, 1965

John H. Warden, City Clerk
City Hall
Rensselaer, New York

Dear John:

Enclosed herewith please find duplicate original stipulation between myself as Corporation Counsel of the City of Rensselaer and Donald A. MacHarg, as Counsel for the New York State Health Department, in connection with sewerage disposal program.

This should be brought to the attention of the Council and filed in your office.

Very truly yours,

JAMES S. MILLEA
CORPORATION COUNSEL

JSM:mv
Enc.

P.S. Also enclosed please find copy of letter sent by me today to the Department of Health.

Rec'd & Filed

STATE OF NEW YORK : DEPARTMENT OF HEALTH

In the Matter of Alleged Violations
of Article 12 of the Public Health Law
by

CITY OF RENSSELAER,

Respondent,

In the Matter of the Consideration
of such Action as should be Taken in
Respect to Continuation, Modification
or Revocation of any and all Permits
issued to the

CITY OF RENSSELAER,

Respondent,

for the discharge of Sewage and/or
Industrial Wastes and Other Wastes or
the Effluents thereof into the Waters
of the State.

STIPULATION

It is hereby stipulated by and between the Corporation Counsel of the
CITY OF RENSSELAER and the Counsel for the New York State Department of Health
that the following are facts upon which an Order of the Commissioner of Health,
to be made in the above entitled proceedings, may be predicated:

1. THAT the CITY OF RENSSELAER, a municipal corporation, now and
since 1898 has continuously owned and maintained a system of combined sewers
discharging untreated sewage, industrial wastes, other wastes, street drainage,
general surface run-off and roof leader and cellar drainage through multiple
outfalls into the Hudson River, Mill Creek and Quackenderry Creek, which system
has been extended from time to time as built-up sections of the City have in-
creased in area or have come into being.

2. THAT the CITY OF RENSSELAER submitted comprehensive plans for

3. THAT the surface waters of the Hudson River from the light at the south end of Esopus Island to the light off the south end of Hotaling Island were duly classified "B" and the section of the Hudson immediately upstream thereof to the confluence of the Mohawk was duly classified "C" by the Water Pollution Control Board in the manner provided by law prior to April 16, 1963.

4. THAT the surface waters of Mill Creek and Quackenderry Creek were duly classified "D" in the manner provided by law by the Water Resources Commission on February 5, 1965.

5. THAT since prior to April 16, 1963 the sewage and wastes discharged by the CITY OF RENSSELAER as stated aforesaid has caused readily visible sludge deposits and floating and settleable solids in all of said waters and has frequently contributed to depletion of dissolved oxygen in the aforescribed "C" and "B" sections of the Hudson River all in contravention of the Standards, thereof and in violation of Sections 1220 and 1225 of the Public Health Law.

6. THAT by reason of technological advances in the field of sewage treatment and by reason of the fact that recent assimilation studies of the Hudson River have demonstrated that secondary treatment of the major portion of all sewage and wastes discharged directly and indirectly into the Hudson River between the northerly limit of the Village of Waterford and a point immediately downstream of the confluence of the Island Creek thereinto will be required to enable the "B" and "C" Standards aforesaid of the Hudson River to be conformed with, construction of sewage and waste treatment facilities in accordance with the plans aforesaid as approved on January 26, 1928 would be insufficient to accomplish full compliance with Article 12 of the Public Health Law by the Respondent and would constitute an inefficient expenditure of its municipal funds.

7. THAT portions of the sewage discharged as aforesaid frequently

It is further stipulated that the Hearing Officer and Commissioner of Health of the State of New York shall take judicial notice of the standards and specifications adopted for and assigned to "B", "C", and "D" classified waters by the Water Pollution Control Board.

It is further stipulated that an Order of the said Commissioner may be made and filed at any time subsequent to September 30, 1965 incorporating the facts aforesaid and determining that the Respondent has on occasions since April 16, 1963 violated Sections 1220 and 1225 of the Public Health Law and directing the abatement of said discharges unless the Respondent shall:

1. On or before ^{Dec. 1 66} ~~September~~ ^{December} 1, 1966 either:

(a) Cause updating and revision of the plans approved on January 26, 1928 to provide for secondary treatment to be initiated, or

(b) Cause the comprehensive sewage and wastes study for which application has been made on April 15, 1965 by the Respondent and others to be completed, or

(c) Cause preliminary plans for the construction of facilities to treat all sewage and wastes discharged through the Respondent's sewers into the waters of the State to be submitted to the New York State Department of Health through the Rensselaer County Health Department

2. Submit final plans for the construction of such facilities in approvable form through the Rensselaer County Health Department on or before ~~November~~ ^{February} 1, 1968 ^{Feb 1 68}


5. Thereafter continuously maintain and operate such facilities through duly qualified sewage treatment plant operators in such manner that the standards of said waters shall at all times be conformed with,

and modifying any and all permits for the discharge of sewage or wastes into the waters of the State heretofore issued to the CITY OF RENSSELAER or Common Council or Department of Public Works thereof to make them refer and relate to and permit only discharges of sewage or waste effluents treated by such facilities.

DATED: Albany, New York
September 21, 1965



JAMES S. MILLEA
Corporation Counsel
City of Rensselaer



DONALD A. MacHARG
Counsel
New York State Department of Health

#68

RESOLUTION AUTHORIZING THE REWEAL OF \$10,000.00 BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER TO THE EXTENT OF \$5000.00 IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF CONSTRUCTING A BRICK PUBLIC WORKS BUILDING.

Stewart - Rensselaer

WHEREAS, the City of Rensselaer has heretofore authorized the issuance of a Bond Anticipation Note or Notes in the amount of \$17,500.00 per resolution #98 dated August 15, 1962 and maturing September 23, 1963, and,

WHEREAS, this note was renewed to the extent of \$17,500.00 on September 25, 1963 and maturing September 25, 1964, and

WHEREAS, a portion of the principal of \$17,500.00 namely \$7500.00 has been redeemed and said note was renewed in the amount of \$10,000.00 on September 25, 1964 to mature September 25, 1965, and,

WHEREAS, a portion of the principal of \$10,000.00 has been redeemed, namely Five Thousand Dollars (\$5000.00) from a source other than the proceeds of the sale of said bonds, and,

WHEREAS, the Common Council of the City of Rensselaer desires to provide for issuance of a Bond Anticipation note in the amount of Five Thousand Dollars (5,000.00) in anticipation of the sale of said bonds,

BE IT RESOLVED, by the Common Council of the City of Rensselaer, as follows:

Section 1. A bond anticipation note in the amount of \$5000.00 shall be issued by the City of Rensselaer, New York for the purpose aforesaid in anticipation of the sale of Serial bonds of the City of Rensselaer in the amount of \$5000.00 as authorized by by resolution number 98 dated August 15, 1962 entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$17,500.00 BOND ANTICIPATION NOTE OR NOTES OF THE CITY OF RENSSELAER IN ANTICIPATION OF THE ISSUANCE OF \$17,500.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF CONSTRUCTING A BRICK PUBLIC WORKS DEPARTMENT BUILDING". Said note or notes are not issued in anticipation of bonds for an assessable improvement. Said note has been renewed once in the amount of \$17,500.00. A portion of said \$17500.00 was redeemed and said note was renewed in the amount of \$10,000.00. No notes have been previously issued in anticipation of the sale of said bonds, the note or notes herein being an original obligation.

SECTION 2. The note herein shall be dated September 25, 1965 and mature September 25, 1966.

SECTION 3. The note hereby authorized shall be issued in the name of the City by the Mayor and Treasurer, and shall be attested by the City Clerk and shall be sealed with the seal of the City.

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 not exceeding five per centum (5%) per annum at such time as the Treasurer shall determine, in accordance with Section 60:00 of the Local Finance Law. 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 are hereby pledged for the punctual payment of the principal of 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 notes were issued or may be redeemed as provided by the Local Finance Law of the State of New York.

SECTION 6. This resolution shall be dated September 29, 1965 and shall take effect immediately.

#69

BY ALDERMAN

Stewart - Giuliani
~~Brown~~

WHEREAS, the sewer at Broadway and John Street caved in and resulted in the street caving in and needed immediated repair, and

WHEREAS, such circumstance is a public emergency affecting the life and health and safety of the inhabitants of this area which requires immediate action and cannot wait competitive bidding, now therefore,

BE IT HEREBY RESOLVED, that the MAYOR enter into a contract, after approval thereof by the Corporation Counsel, for the repairing ~~and~~ of said sewer and street.

Dated: September 29, 1965

James J. Miller
Corporation Counsel

	AYES	NOES
WILLIAM HOOBKAMP		
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
<i>Giuliani</i> IRWIN STEWART	✓	
EDWARD RATCLIFFE		
DONALD LEAHEY		
WALTER S. PRATT		
TOTAL		

#70

BY: Alderman Stewart - Scivolanti

RESOLVED that the Corporation Counsel be and he hereby is authorized to attend a meeting of the Steering Committee of the New York State Conference of Mayors, to be held at the Americana Hotel in New York City, on October 4, 1965.

Dated: September 29, 1965

Approved as to form and sufficiency this 29th day of September, 1965.

James S. Milla
CORPORATION COUNSEL

	AYES	NOES
WILLIAM HOOGKAMP		
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
<i>Scivolanti</i> IRWIN STEWART	✓	
EDWARD RATCLIFFE		
DONALD LEAHEY		
WALTER S. PRATT		
TOTAL		

October 1, 1965

Mr. Myron Butler
20 John St.
Rensselaer, N. Y.

Dear Sir:

At a adjourned meeting of the Common Council of the City
of Rensselaer, N. Y. the following resolution was passed:

"RESOLVED, that Myron Butler be and he hereby is
authorized, under the direction and supervision
of the Department of Public Works to lower so
much of the curb at 20 John St. as may be
necessary for driveway purposes.
This is a permit only revocable at the will of
the Common Council."

Yours truly

City Clerk

BHM/jo

C
O
P
Y

#71

RESOLUTION

By Alderman Stewart - Mooney

RESOLVED that Myron Butler be and he hereby is authorized, under the direction and supervision of the Department of Public Works to lower so much of the curb at 20 John Street, as may be necessary for driveway purposes.

This is a permit only revocable at the will of the Common Council.

Dated: September 29, 19 65

Approved as to form and Sufficiency this 29 day of September, 19 65

James S. Miller
Corporation Counsel

	AYES	NOES
WILLIAM HOOGKAMP		
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
<i>Myron Butler</i> IRWIN STEWART	✓	
EDWARD RATCLIFFE		
DONALD LEAHEY		
WALTER S. PRATT		
TOTAL		