

CITY OF RENSSELAER
IN
COMMON COUNCIL

WEDNESDAY EVENING
REGULAR MEETING

The Council convened at *8:38* O'clock P.M. and was called to order by
Pres. Stewart.

The roll being called the following answered to their names:

Pres. Stewart ✓

Alderman: Bullent ✓
Mooney ✓
Lithgow ✓
Biono ✓

Alderman: Girolami
Adams ✓
Ratcliffe ✓
Leahey
Jukes ✓

Alderman
correction.

moved that the minutes be adopted as printed subject to

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

All bills be allowed and ordered paid.

PRESENTATION OF PETITIONS AND ACCOUNTS

RESOLUTIONS

REPORT OF COMMITTEE

Alderman *Mooney* moved to adjourn, seconded by Alderman *Ratcliffe*

IRWIN STEWART

AYES	NOES
✓	

PRESENTATION OF ACCOUNTS

Alderman Buono moved that all bills and payrolls be referred to the auditing committee. The City Clerk report that the Water Dept. Payroll, Highway Payroll, City Bills, and Water Dept. Bills audited by the Committee amounted to Water Dept. Payroll, \$764.22, Highway Payroll, \$6,417.60, City Bills, \$2,867.79, and Water Dept. Bills, \$2,327.58. Alderman *Buono* moved seconded by Alderman *Mooney* that all bills and payrolls be allowed and ordered paid.

	AYES	NOES
IRWIN STEWART	✓	
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
ARMAND GIROLAMI		
WILLIAM ADAMS	✓	
EDWARD RATCLIFFE	✓	
J. DONALD LEAHEY		
ALFRED JUKES	✓	
TOTAL		

J. KENNETH FRASER AND ASSOCIATES

Consulting Engineers

516 WASHINGTON AVENUE
RENSSELAER, N. Y. 12144

TELEPHONE HO 3-8875
HO 3-6101

November 1, 1966

Mayor and Common Council
City of Rensselaer
City Hall-Broadway
Rensselaer, New York

Re: Charges For Water
East Greenbush General
Water District

Gentlemen:

The contract for the sale of water by the City to the East Greenbush General Water District provided for a charge of \$135.00 per million gallons, the water to be measured by a meter to be installed by and at the expense of the East Greenbush General Water District.

It was realized at the time of the contract that the meter would not be installed for several months. Therefore, for the interim period, the basis for billing the metered users was to be the amount of water shown by meter reading plus 10 percent (10%). The 10 percent surcharge, which we originally recommended be 15 percent, was to cover unaccounted for water or, in other words, water use not reflected by the individual meters.

There was no provision as to how payment would be made for the consumers where there was no meter or where the meter was not in operating condition.

The meters in East Greenbush were read for the 6 month period ending June 30, 1966. As of that time it was determined that there was 799 meters on domestic services, 86 meters on commercial users and 129 locations where the meter was either not working or where there was no meter. The total of the above figures is a total of 1,014 consumers and does not include Winthrop Stearns Laboratory. The Winthrop Stearns Laboratory was to be billed directly by the City of Rensselaer at the established water rates. The Water Department of the City of Rensselaer determined that the domestic consumers used a total of 3,996,356 cubic feet or 29,792,670 gallons. Similarly, it was determined that a total of 2,758,800 cubic feet

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Mayor and Common Council
City of Rensselaer, N.Y.

November 1, 1966

or 20,691,000 gallons were used by the commercial consumers or a total use, as reflected by meter readings, of 50,663,670 gallons for the 6 month period. Adding a surcharge of 10 percent (10%) to the above meter readings gives an amount of 55,730,037 gallons which can be billed in accordance with the contract at \$135.00 per million gallons which equals \$7,523.55.

If the meter had been installed the problem of determining a proper charge to East Greenbush General Water District would have been a relatively simple matter and this office had suggested when the contract was prepared, that at such time that the meter was installed that a check should be made between the individual meter readings and the so-called master meter.

Since there would obviously be a tendency at those locations where there was either no meter or the meter was not operating, for the particular individuals to possibly take advantage of the situation, we would suggest that one method of charge would be to assume for the flat rate consumers (129), a use of 100 gallons per person per day and an average number of 3.7 people per family, which would reflect a use of approximately 67,500 gallons per flat rate user for a 6 month period, which at a charge of \$135.00 per million gallons, would be approximately \$9.11 per meter.

Although the contract does not provide a method of determining the charges for flat rate consumers, the above outlined method would seem reasonable. We understand that the East Greenbush General Water District has suggested a charge of \$6.75.

The meter was installed on Sunday, October 30, and since the meter is now in place, we would suggest that meter readings be taken by the City of Rensselaer and/or the Town of East Greenbush or both, and that a tabulation showing the date, time of day and the meter reading be made available to the City of Rensselaer and the East Greenbush General Water District. On subsequent readings of individual meters in East Greenbush, a careful comparison should be made between the individual meter readings and the master meter readings for a similar period of time to determine what portion of the water passing through the master meter is reflected in the individual meter readings. By this method an approximation for unaccounted for water could be determined and the above suggested rate for the flat rate users be adjusted by a factor to represent unaccounted for water.

Respectfully submitted,

J. KENNETH FRASER AND ASSOCIATES

By _____

J. K. Fraser

JKF/fw

cc: Mr. Beaudin
Mr. Millea
Mr. Baird, Mr. Smith

MYRICK & CHEVALIER . . . CONSULTING ENGINEERS

17 . . . ELK . . . STREET . . . ALBANY . . . NEW . . . YORK . . . 12210 . . . TEL. 465-4741

October 25, 1966

Henzel Electric Co., Inc.
48 Clinton Street
Albany, New York

Gentlemen:

You are hereby officially notified that Contract No. 5 of the City of Rensselaer-General Water District, Town of East Greenbush Water Pumping Station has been awarded to your Company.

Please prepare and submit the necessary documents required by the specifications for the signing of the Contract, and advise us when these documents are in order.

Very truly yours,

MYRICK & CHEVALIER

Paul R. Chevalier

Paul R. Chevalier

PRC:FN

cc: J. Kenneth Fraser
James S. Millea, Esq.
Anthony T. Pitkiewicz, Esq.
Town Board, Town of East Greenbush
Common Council, City of Rensselaer ✓

MYRICK & CHEVALIER... CONSULTING ENGINEERS

17... ELK... STREET... ALBANY... NEW... YORK... 12210... TEL. 465-4741

October 25, 1966

Machnick Construction Co., Inc.
7 Oxford Road
Troy, New York

Gentlemen:

You are hereby officially notified that Contract No. 3 of the City of Rensselaer-General Water District, Town of East Greenbush Water Pumping Station has been awarded to your Company.

Please prepare and submit the necessary documents required by the specifications for the signing of the Contract, and advise us when these documents are in order.

Very truly yours,

MYRICK & CHEVALIER



Paul R. Chevalier

PRC:FN

cc: J. Kenneth Fraser
James S. Millea, Esq.
Anthony T. Pitkiewicz, Esq.
Town Board, Town of East Greenbush
Common Council, City of Rensselaer ✓



JAMES S. MILLEA
CORPORATION COUNSEL

CITY OF RENSSELAER
OFFICE OF THE CORPORATION COUNSEL

October 25, 1966

AMBROSE P. DONOVAN, JR.
ASSISTANT CORPORATION COUNSEL

Common Council
City Hall
Rensselaer, New York

Gentlemen:

At a regular meeting of the Council, held on the 19th day of October, 1966, you referred to me for my opinion on the enclosed "Petition for Annexation" filed with you on October 19, 1966. After careful examination of the same, it is my opinion that such petition is absolutely legally insufficient to accomplish the purposes set forth in Section 703 (article 17) of the General Municipal Law.

My reasons for this opinion are as follows:

1. Petition does not comply with the provision of Section 703 of the General Municipal Law; it is unverified and the certificate of identity is not properly executed, in fact, not executed at all.
2. No map of territory is attached to petition as required by said Section 703.
3. An unrecorded deed (Exhibit A) attached to petition is insufficient to place title in the "petitioners." The description in deed and attached engineer's description does not locate property sufficiently in that it does not refer to the town or municipal sub-division in which the property is located.

Authority of a Commissioner of Deeds is limited to the City of Rensselaer, no authority outside the boundaries thereof.

The petition being a nullity, the entire proceeding must fall. The Council cannot take action of any sort on this petition and it should be returned to the "Petitioners" with a copy of this letter so that if they desire a new petition conforming with the provisions of Article 17 of the General Municipal Law may be filed.

Very truly yours,

James S. Millea

JAMES S. MILLEA
Corporation Council

JSM:bee

cc: Planning Commission
Mayor Warden
Mr. Lyons

LEGAL NOTICE

TAKE NOTICE, that by resolution dated October 5, 1966, the Common Council of the City of Rensselaer did declare its intention of discontinuing and abandoning as a street that portion of Saint Cloud Avenue a "paper street" more particularly described as follows:

"All that certain lot, piece or parcel of land situated along and being in the ninth(9) ward of the City of Rensselaer and County of Rensselaer and state of New York more particularly bounded and discribed as follows:

Beginning at a point marked by a steel pipe set in the northerly line of Rensselaer Street at the intersection of the easterly line of Saint Cloud Avenue; thence northerly along the easterly line of Saint Cloud Avenue 84.43 Feet to a point marked by a chain link fence; thence westerly along said fence line 2.75 feet to a point; thence still along said fence and a continuation thereof southwest-erly perpendicularly to a point in the northerly line of Ransselaer Street, then southeasterly and along the northerly line of Rensselaer Street 46 feet of the point or place of beginning.

Being a portion of Saint Cloud Avenue, a "paper stret" appearing on certain maps of the City of Rensselaer, New York."

That a public hearing will be held on November 2, 1966 at 8:00 o'clock P. M. at the Common Council Chambers in the City Hall of the City of Rensselaer and all persons interested or desiring to be heard, may be heard in reference to the same.

Harry H. Beaudin, Jr.
City Clerk

Please insert October 17th and 24th, 1966

TAKE NOTICE that by resolution dated October 19, 1966, the Common Council of the City of Rensselaer did declare its intention of discontinuing and abandoning as a street that portion or part of Summit Street running from Dubuque Street to Wendell which has been a paper street appearing on the Hogan map made by one Hogan for the trustees of the Village of Greenbush in or about 1855 which street is shown in different maps as being 27 feet in width and in other maps as being 50 feet in width. The paper street would run through Lots 9, 10, 11, 12 and 17, 18, 19 and 20 of the Graves map made by R. Graves in or about 1843 and filed in Rensselaer County Clerk's Office.

BE IT FURTHER RESOLVED, that the City Clerk be and he hereby is directed to cause notice of such intention to be published once a week for two consecutive weeks in the official newspaper of Rensselaer, commencing on the 22nd day of October 1966 and that all persons interested or desiring to be heard, may be heard in reference to same at the next regular meeting of this Council to be held at its Chambers in the City Hall of the City of Rensselaer, New York, on November 2, 1966 at 8 o'clock P. M.

	AYES	NOES
IRWIN STEWART		
HAROLD BULLENT		
JOHN MOONEY		
WILLIAM LITHGOW		
STEPHEN BUONO		
ARMAND GIROLAMI		
WILLIAM ADAMS		
EDWARD RATCLIFFE		
J. DONALD LEAHEY		
ALFRED JUKES		
TOTAL		

	AYES	NOES
IRWIN STEWART		
HAROLD BULLENT		
JOHN MOONEY		
WILLIAM LITHGOW		
STEPHEN BUONO		
ARMAND GIROLAMI		
WILLIAM ADAMS		
EDWARD RATCLIFFE		
J. DONALD LEAHEY		
ALFRED JUKES		

#17

Dated: _____ 1966 Approved as to form and sufficiency

RESOLUTION

BY ALDERMAN *Mooney*

RESOLVED, that RICHARD FORT 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 124 Second Avenue as may be necessary for driveway purposes.

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

Dated: Nov. 2 1966

Approved as to form and sufficiency

Richard Reely
Asst. Corporation Counsel

2nd by Bullent

	AYES	NOES
IRWIN STEWART	✓	
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
ARMAND GIROLAMI		
WILLIAM ADAMS	✓	
EDWARD RATCLIFFE	✓	
J. DONALD LENNEY	✓	
ALFRED JUKES	✓	
TOTAL		

By Buono.

#78

Whereas, the City of Rensselaer has acquired an interest in and to certain premises by virtue of certain tax sales conducted by the Treasurer of the City of Rensselaer for the collection of unpaid city and School Taxes heretofore levied and assessed against the premises now or formerly in the name of Mary Vaugh, and described on the tax rolls as follows:

Mary Vaugh 843 Broadway
Blk 184 Plot 3 Lot N. Pt. 5 25x88

and,

WHEREAS, it is deemed advisable and to the best interest of the City of Rensselaer that said City of Rensselaer shall sell and dispose of so much of its interest in and to the aforesais premises,

NOW THEREFORE BE IT RESOLVED, that the City Treasurer be and he hereby is authorized and directed and empowered to publicly advertise for sale all the right, title, and interest of the City of Rensselaerin and to the aforesaid premises acquired by reason of the aforementioned taxes, tax sales, each week for three (3) successive weeks, four (4) times in the official newspaper of the City of Rensselaer, and to thereafter proceed to sell the City's interest in said premises according to law without covenant, warrant, or representaion whatever and upon the following terms; purchase price in full shall be paid in full at the time of the sale to the City Treasurer, no bids less than \$1,000.00 Dollars will be received, purchaser shall pay the cost of advertising this ~~notice~~ legal notice, the City Treasurer shall reserve the right to reject any and all bids, and be it further,

RESOLVED, that the Mayor of the City be and he hereby is authorized and directed and empowered to execute a quit claim deed as aforesaid upon the confirmation of said sale by the Common Council and after approval of said deed by the Corporation Counsel.

Motion made by Buono.
2nd by Lithgow

Approved as to form and sufficiency
this 2nd day of November 1966.

Richard J. Reilly
Corporation Counsel

	AYES	NOES
IRWIN STEWART	✓	
HAROLD BULLENT	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
ARMAND GIROLAMI	✓	
WILLIAM ADAMS	✓	
EDWARD RATCLIFFE	✓	
J. DONALD LEAHEY	✓	
ALFRED JUKES		
TOTAL		