

*Mc Daniel*  
*52 Ave*

CITY OF RENSSELAER  
IN  
COMMON COUNCIL  
WEDNESDAY EVENING, *March 15/50*  
REGULAR MEETING

*Page*  
*118*

*Res*  
*30*

The Council convened at *9* o'clock P. M. and was called to order by Pres. Hardt.

The roll being called the following answered to their names:

- Pres. Hardt ✓
- Alderman Fedigan ✓  
Hoogkamp ✓  
Distell ✓  
Buono ✓
- Alderman McGowan ✓  
Boyd ✓  
Higgins ✓  
Reimann ✓
- Alderman Pratt ✓

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

COMMUNICATIONS FROM THE MAYOR  
HEADS OF DEPARTMENTS AND CITY OFFICES

- TREASURER'S REPORT (2)  
PRESENTATION OF PETITIONS  
REMONSTRANCES AND COMMUNICATIONS 3

PRESENTATION OF ACCOUNTS

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

REPORT OF COMMITTEE

The auditing committee report the following bills correct.

Alderman *Pratt* moved that the report of the auditing committee be received and all bills be allowed and ordered paid. Also the Streety Payroll.

*Revised*  
*Pratt*

*City club water by island main work*  
*Tap Con Permits for*  
*15 new homes*

*District Prud*

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOGKAMP	✓	
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOGKAMP	✓	
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOGKAMP	✓	
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

*pay roll*

*Adm.*

*Pratt District*

*Prud Reimann Higgins*

*Buono report not made.*

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOGKAMP	✓	
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

- W. HARDT
- L. FEDIGAN
- W. HOOGKAMP
- J. DISTELL
- S. BUONO
- J. MC GOWAN
- D. BOYD
- J. R. HIGGINS
- W. REIMANN
- W. PRATT
- TOTAL

BY ALDERMAN DISTELL:

WHEREAS, the City of Rensselaer has acquired an interest in and to certain premises more particularly described as follows:

All that certain lot, piece or parcel of land situate on the west side of East Street between Herrick Street and Wendell Street in the Third Ward of the City and County of Rensselaer and State of New York and more particularly described as follows:

Beginning at a point in the westerly line of East Street distant northerly 325' from the northerly line of Herrick Street; thence running northerly along the westerly line of East Street distant 161.8' to the southerly line of the property of Gertrude Mahar; thence westerly along the southerly line of the property of Gertrude Mahar distant 103.4' to the westerly line of the property of the Boston & Albany Railroad; thence southerly along the southerly line of the Boston & Albany Railroad distant about 161.8' to a point; thence easterly at right angles to the westerly line of East Street 103.4' more or less to the point or place of beginning.

Being a parcel of land 161.8' front and rear and 103.4' deep as shown upon a map made by R. Graves September 16, 1843 and filed in the Office of the Clerk of Rensselaer County.

WHEREAS, it is deemed advisable and to the best interests of the City of Rensselaer that said City shall sell and dispose of its interest in and to the aforesaid 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 of the right, title and interest of the City of Rensselaer in and to the aforesaid premises, once each week for three successive weeks, four 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 representation whatever and upon the following terms: purchase price in full shall be payable to the City Treasurer at the time of sale; no bids less than \$150.00 will be received, the City Treasurer shall reserve the right to reject any and all bids and shall have the right to fix additional terms of sale; and be it further

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

Dated: March 15th, 1950.

Approved as to form and sufficiency  
this 15th day of March, 1950.

*James S. Millea*  
\_\_\_\_\_  
Corporation Counsel

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOBKAMP	✓	
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

LEGAL NOTICE

TO WHOM IT MAY CONCERN.

Pursuant to a resolution duly adopted March 15, 1950, by the Common Council of the city of Rensselaer N. Y. i, the undersigned City Treasurer will sell at public auction at my office in the City Hall Building, 505 Broadway, Rensselaer N. Y. on the 25th day of April at 11 o'clock A. M. Standard Time. all of the right title and interest of the City of Rensselaer ~~in and to the premises~~, to all that certain lot, piece or parcel of land situated on the west side of East Street between Herrick street and Wendell Street in the Third Ward of the City and County of Rensselaer and State of New York and more particularly described as follows.

Beginning at a point in the westerly line of East Street distant northerly 325' from the northerly line of Herrick Street, thence running northerly along the westerly line of East Street distant 161.8' to the southerly line of the property of Gertrude Mahar, thence westerly along the southerly line of the property of Gertrude Mahar distant 103.4' to the westerly line of the property of the Boston and Albany Railroad, Thence southerly along the east line of the Boston and Albany Railroad distant about 161.8' thence easterly at right angles to the westerly line of East Street 103.4' more or less to the point or place of beginning.

Being a parcel of land 161.8' front and rear and 103.4' deep as shown upon a map made by R. Graves September 16, 1843 and filed in the office of the Clerk of Rensselaer County.

No bids will be accepted in the sum of less than \$150.00 and the terms of the sale will be announced at the time of sale.

The City Treasurer reserves the right to accept or reject any and all bids

Dated March 15, 1950

Albert L. Scheibly  
City Treasurer.

To be inserted March 25, April 7, 14 and 21, 1950

Rensselaer Water Co.  
824 Broadway  
Rensselaer, New York

Attention: Mr. Charles Claflin  
Superintendent

Dear Sir:

Alderman Reimann moved seconded by Pratt that the City Clerk be and he hereby is authorized and directed to communicate with the Rensselaer Water Co. directing them to extend their water mains on Farley Drive as the City will improve the street with concrete gutters and improve the road way.

As at the present time the Tax Commissioner reports that he has under way the granting of fifty (50) permits for new homes and also on Moch Terrace.

Hoping this will be taken care of as requested by the Board of Alderman.

Very truly yours,

H. C. Younghans  
City Clerk

2

# CASH REPORT

Balance on hand January 31, 1950	\$154,984.10
Receipts for February 1950	40,654.37
Payments February 1950	<u>\$195,638.47</u>
Balance February 28, 1950	65,769.23
	<u>\$129,869.24</u>
Balance on hand General Fund Rensselaer County Bank	14,690.32
Tax Sale Redemption No. 18814	1,935.22
Trust Cash Acct. No. 6847	390.19
Contractors Retainers No. 12440	11,219.27
City Bonds Acct. No. 6326	85,883.13
Capital Reserve No. 11601 Library Fund	5,019.48
School Fund Saving No. 12845	
Miscellaneous Funds No. 10781	
Refunding Reserve No. 12754	
1931 Sewer & Sidewalk Asst.	2.50
1935 Curbing Acct. No. 16189	1,308.68
Cash on hand, City and School	16.19
Cash on hand, State and County	109.57
Special Checking Welfare Dept.	2,033.18
Special Checking Withholding Tax	6,570.09
Special Checking: Tax Sale Redemption	
Special Checking Kiwanis Band Fund	28.67
Special Checking Improvement Fund	600.00
Special Checking Fire Insurance Tax	62.75
	<u>\$129,869.24</u>

Respectfully submitted,

*Albert J. Scheibly*  
 City Treasurer

*Pratt would  
 that the report be  
 rec'd.*

NEW YORK CENTRAL SYSTEM

C. H. Morton  
General Land & Tax Agent

466 Lexington Avenue  
New York 17, N. Y.

March 14, 1950.

(3)

Mr. James S. Millea,  
Corporation Counsel,  
City of Rensselaer,  
112 State Street,  
Albany 7, New York.

Dear Sir:

In the matter of pending certiorari proceedings to review the special franchise assessments in the City of Rensselaer on the Hudson River Bridge Company for the years 1908 to 1922, inclusive, and from 1938 to 1948, inclusive; and on the New York Central Railroad Company for the years 1917 to 1948, inclusive, excepting the year 1929 when no proceedings were filed:

The total amount of refunds and interest, assuming that the Hudson River Bridge Company cases were tried and we secured the total amount of our claims and basing the New York Central cases on the Court's decision as a result of trial for the years 1917 to 1934, inclusive, excepting the year 1929, would be \$552,594.81. A copy of this computation was given you sometime ago.

Since my letter to you of June 16, 1949, we have paid the 1949 taxes and are entitled to refunds on the taxes paid on the New York Central Railroad Company's special franchise assessments, together with an additional year's interest computed to July 1, 1950 on the refund of the prior cases.

In order to settle these cases which are of long standing, we have waived all refunds and interest on the Hudson River Bridge Company cases from 1913 to date and we hereby make a firm offer to accept \$60,000. cash as settlement of all cases now pending, both on the Hudson River Bridge Company and the New York Central Railroad Company in the City of Rensselaer, New York. This offer is with the proviso that nothing shall be added to the local assessment roll to compensate for the above settlement of the pending litigation.

*Copy covered  
Rec'd moved  
referred*

Yours very truly,

/s/ C. H. MORTON

General Land and Tax Agent.



NATHANIEL L. GOLDSTEIN  
ATTORNEY GENERAL

STATE OF NEW YORK  
DEPARTMENT OF LAW  
ALBANY 1, N. Y.

March 15, 1950.

Hon. James S. Millea  
Corporation Counsel  
112 State Street  
Albany, N.Y.

Dear Mr. Millea:

The New York Central Railroad Company has offered to settle the pending certiorari proceedings brought to review the special franchise assessments of the New York Central Railroad in the City of Rensselaer for the years 1917 to 1928, inclusive, and 1930 to 1950, inclusive, together with the proceedings brought to review the special franchise assessments of the Hudson River Bridge Company in the City of Rensselaer for the years 1908 to 1922, inclusive, and 1938 to 1950, inclusive, for the sum of \$60,000.00 in cash.

The settlement is based upon the Referee's decision in the New York Central, City of Rensselaer, proceedings and by equalizing the assessments of the Hudson River Bridge Company for the years 1908 to 1912, inclusive, at the rate of 75%. All proceedings subsequent to 1912 brought by the Hudson River Bridge Company are to be discontinued without costs.

The offer of settlement as offered by the Railroad Company is acceptable to this office and I am ready to dispose of the proceedings on such basis, provided the offer meets with the approval of the City of Rensselaer.

Very truly yours,

NATHANIEL L. GOLDSTEIN,  
Attorney General,

By:

EDWARD J. GROGAN, JR.,  
Assistant Attorney General.

*Pratt Corp Counsel*

*add Pratt word 2nd by Distell that the two communications be referred to the Corp Counsel.*

- W. HARDT
- L. FEDIGAN
- W. HOOKAMP
- J. DISTELL
- S. BUONO
- J. MC GOWAN
- D. BOYD
- J. R. HIGGINS
- W. REIMANN
- W. PRATT
- TOTAL

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOKAMP		
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		



JAMES S. MILLEA  
CORPORATION COUNSEL

CITY OF RENSSELAER  
OFFICE OF THE CORPORATION COUNSEL

(3)

March 15th, 1950

Board of Aldermen  
City Hall  
Rensselaer, New York

Re: Certiorari Proceedings-Special Franchise-Hudson River  
Bridge Company and New York Central Railroad

Gentlemen:

At the regular meeting on July 6th, 1949, I presented to your honorable body a letter addressed to me from Mr. R. E. Walworth, Special Engineer, of the New York Central Railroad in connection with the above cases. This letter contained an offer of settlement in connection with said cases in the amount of \$50,000.00 in cash and the balance of \$68,126.20 to be paid over a period of five years by a reduced assessment making a total settlement of \$118,126.20.

After numerous conferences and negotiations with the New York Central Railroad in connection with these cases at which conferences and meetings the New York State Tax Commission was represented by Mr. Edward J. Grogan, Jr. the above figure has been brought down to \$60,000.00 as set forth in the enclosed letter received by me this morning from Mr. C. H. Morton, General Land and Tax Agent of the New York Central Railroad, 466 Lexington Avenue, New York 17, N. Y.

It is my opinion that the figure of \$60,000.00 is a fair and reasonable settlement of these cases which have been pending since 1908. I therefore recommend that this Council pass said settlement and authorize me to take the necessary steps to effectuate same at an early date. I am also enclosing herewith letter addressed to me from Edward J. Grogan, Jr. in which he also recommends settlement thereof.

*check amount that  
received file*

Very truly yours,

*James S. Millea*

JSM gtn  
Encs. 2

CHEMICAL AND HOSE FIRE COMPANY No. 4  
RENSELAER, NEW YORK

March 10, 1950

Honorable Board of Aldermen,  
City of Rensselaer,  
City Hall,  
Rensselaer, N. Y.

(3)

Gentlemen:

We, the undersigned foremen and President of this company, upon learning of your intentions to purchase a new pumper for this Fire Company, tonight have caused a motion to be duly made and seconded, earnestly requesting that your Honorable Body give foremost consideration to the SEAGRAVE fire engine.

In looking over specifications of the various fire engines, we note that the SEAGRAVE fire pumper is built strictly for fire duty. Secondly, we believe, that this pumper contains the necessary number of compartments required to carry equipment needed by volunteer firemen, and, thirdly, we believe, that for all-around fire department performance, the SEAGRAVE machine will meet all of the essential qualifications.

Trusting that this matter will be given due consideration by your Honorable Body, this Fire Company firmly believes that the final judgement of your Body, will be for the best of all concerned.

Respectfully yours,

THOMAS LEAHEY, PRESIDENT.

*Thomas Leahy*

DAVID O'HANLON, FOREMAN.

*David O'Hanlon*

FRED HUTCHINSON, SR., 1ST. ASST. FRM.

*Fred H. Hutchinson Sr.*

JOHN REARDON, 2ND. ASST. FRM.

*John H. Reardon*

tl:wrb

*Pract  
Rend file*

By Alderman Fedigan.

We the undersigned committee, heretofore appointed to tabulate bids for the alterations and repairs to the Ring Fire Building, do hereby report that the following bids were received.

<u>BIDDER</u>	<u>AMOUNT</u>
Abbie Cobb	19628.00
Henry Rector	19114.50

We therefore report that the bid of, Henry Rector was the lowest responsible for the type of work desired by the City, and believed to be able to do the work to the best advantage and saving to the City, and after a careful check of the bids submitted, we respectfully urge that the contract be awarded to Henry Rector for the sum of \$19114.50 and that the Mayor be and he hereby is authorized and directed to enter into a contract with Henry Rector for the performance of said contract after approval thereof by the Corporation Counsel.

Dated March 15, 1950

*all Fedigan moved that his report of this committee be accepted*

Committee.

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOBKAMP		
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

*Lawrence Fedigan*  
*Joseph W. Distell*  
*Walter S. Pratt*  
*James S. Miller*  
*Alfred Kaufman*

BY ALDERMAN REIMANN:

RESOLVED, that the City Engineer be and he hereby is authorized and directed to prepare plans and specifications for the following improvements to the following streets:

1. Resurfacing of Washington Avenue from Fourth Street (from granite block pavement) easterly to a point 300 feet easterly from Tenth Street (to new concrete pavement).
2. Moch Terrace, including concrete gutters and necessary drainage
3. Farley Drive, including concrete gutters and necessary drainage.

Dated: March 15, 1950

Approved as to form and sufficiency  
this 15th day of March, 1950.

*James S. Millea*  
 \_\_\_\_\_  
 CORPORATION COUNSEL

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOOGKAMP		
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		

32

BY ALDERMAN PRATT:

RESOLVED, that the claim of the City of Rensselaer against John J. Thomas and Blue Line Express of Nashua, New Hampshire, for damage to traffic light at Broadway and Herrick Street on August 3rd, 1949 in the amount of \$211.15, be and the same hereby is compromised and settled for the sum of \$150.00 and be it further

RESOLVED, that the Mayor be and he hereby is authorized and directed to execute and deliver general releases to the above named after approval of same by the Corporation Counsel and upon receipt of said sum of \$150.00.

Dated: March 15th, 1950

Approved as to form and sufficiency  
this 15th day of March, 1950.

*James S. Millea*  
CORPORATION COUNSEL

	AYES	NOES
W. HARDT	✓	
L. FEDIGAN	✓	
W. HOGGKAMP		
J. DISTELL	✓	
S. BUONO	✓	
J. MC GOWAN	✓	
D. BOYD	✓	
J. R. HIGGINS	✓	
W. REIMANN	✓	
W. PRATT	✓	
TOTAL		