

Hoogkamp

CITY OF DEMISELAER
IN
COMMON COUNCIL
WEDNESDAY EVENING
REGULAR MEETING

Buono

Special

March 23, 1960

The Council convened at 9 O'clock P. M. and was called to order by Pres. Hoogkamp.

The roll being called the following answered to their names:

Alderman Fedigan ✓
Mooney ✓
Lithgow ✓
Buono ✓

Pres. Hoogkamp ✓

Alderman Farrell ✓
Stewart ✓
Ratcliffe ✓
Leahey ✓
Pratt ✓

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

COMMUNICATIONS FROM THE MAYOR
HEADS OF THE DEPARTMENTS AND CITY OFFICES

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

TREASURER'S REPORT

PRESENTATION OF ACCOUNTS

Alderman 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 *Buono* moved to adjourn, seconded by Alderman *Leahey*

	AYES	NOES
WILLIAM HOOBKAMP	✓	
LAWRENCE FEDIGAN	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
BERNARD FARRELL	✓	
IRWIN STEWART	✓	
EDWARD RATCLIFFE	✓	
DONALD LEAHEY	✓	
WALTER S. PRATT	✓	
TOTAL		

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, THE CALLANAN ROAD IMPROVEMENT COMPANY, a domestic corporation with its principal office at South Bethlehem, New York, hereby undertakes, promises and agrees in consideration for the payment to it of moneys owing from the City of Rensselaer for necessary extra work done by said company in the performance of and pursuant to a certain contract with said City for the reconstruction of portions of Columbia Street and Washington Street, which contract was made on or about September 2nd, 1958 and which performance was completed on or about November 14th, 1958, to wit, the sum of Thirty Thousand Three Hundred Eighty-Four (\$30, 384.00) Dollars, to indemnify and save harmless said City of Rensselaer and each and every official, officer or agent thereof, elected or otherwise, against any and all liability or responsibility for the payment of any judgment that may be rendered against said City or any such official, officer or agent thereof, in any action or proceeding, which judgment arises out of said payment to The Callanan Road Improvement Company.

Signed, sealed and dated this 19th day of MARCH 1960.

THE CALLANAN ROAD IMPROVEMENT COMPANY

By Harry E. Battin Jr.
Vice President

STATE OF NEW YORK)
COUNTY OF ALBANY) ss.:

On this 19th day of MARCH 1960, before me personally came HARRY E. BATTIN, JR., to me known, who, being by me duly sworn, did depose and say that he resides at Albany, New York and is Vice President of THE CALLANAN ROAD IMPROVEMENT COMPANY, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporation seal and was affixed by order of the Board of Directors and that he signed his name thereto by like order.

HARRY R. HAYES, JR.
NOTARY PUBLIC, STATE OF NEW YORK
Resides in Albany County
Certificate filed in Rensselaer Co.
Commission Expires March 30, 1961

Harry R. Hayes Jr.

Received
filed

#17

BY ALDERMAN Brown :

WHEREAS, heretofore and on the 2nd day of September, 1958, pursuant to resolution duly adopted by this Council on the 20th day of August, 1958, the City entered into a contract with The Callanan Road Improvement Company of South Bethlehem, New York, for the resurfacing of portions of Washington and Columbia Streets in the City of Rensselaer, for the sum of Thirty Two Thousand Nine Hundred Ninety (\$32,990.00) Dollars, and,

WHEREAS, in the course of said work, while preparing to resurface Columbia Street and after same had been excavated and completely ripped up, it was discovered that the entire bed of the said street was caving in due to lack of proper or no foundation for the bed of said street, and

WHEREAS, this condition was not, nor could it be, discovered until excavation preparatory to resurfacing had been made, and could not have been reasonably foreseen in time to include such work in said contract or in time to advertise for bids therefor, and

WHEREAS, the said Columbia Street being a main artery for traffic travelling over Routes 9 and 20 and at the time of the discovery of the condition of the foundation of same the said Street was already torn up and closed off, and,

WHEREAS, it was found necessary by the City's Consulting Engineer to construct and lay a new bed for such street consisting of crushed stone foundation and concrete bed, and

WHEREAS, such unspecified and emergency work was not called for in original contract hereinbefore referred to but was performed and carried out by the Callanan Road Improvement Company without bid therefor at a cost of Thirty-Thousand Three Hundred Eighty Four (\$30,384.00) Dollars and which said sums remain unpaid,

NOW, THEREFORE, BE IT RESOLVED, that this Council do and it hereby does pursuant to Section 103 of the General Municipal Law, declare that in the circumstances set forth above, a public emergency arising out of an unforeseen condition affecting the life, health and safety of the people of the City of Rensselaer did exist and did require immediate action which could not await competitive bidding, and

BE IT FURTHER RESOLVED, that this Council do and it hereby does ratify, approve and confirm all acts of the Consulting Engineer and the Callanan Road Improvement Company in connection with the performance of said unspecified and emergency work arising out of the resurfacing of Columbia Street aforesaid,

BE IT FURTHER RESOLVED, that the additional cost of said work in the amount of \$30,384.00 be and the same is hereby approved, ratified and confirmed.

Dated: March 2nd, 1960

231

Approved as to form and sufficiency

James J. Miller
CORPORATION COUNSEL

	AVES	NOES
WILLIAM BOGKAMP	✓	
LAWRENCE FEDIZAN	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
BERNARD FARRELL	✓	
IRWIN STEWART	✓	
EDWARD RATCLIFFE	✓	
DONALD LEANEY	✓	
WALTER S. PRATT	✓	
TOTAL		



CITY OF RENSSELAER
OFFICE OF THE MAYOR

CLARENCE A. McNALLY
MAYOR

March 18, 1960

TO WHOM IT MAY CONCERN:

You are hereby notified of a Special Meeting of the
Common Council to be held March 23, 1960 at 7 P. M.
for the purpose of considering the following:

- #1 Washington St & Columbia St.
- #2 Pavement Contract for several streets
- #3 Aiken Ave discussion.
- #4 Renewal of Bond Anticipation Note for Riverside Ave

Clarence A. McNally
Clarence A. McNally
Mayor

#18
RESOLUTION AUTHORIZING THE ISSUANCE OF \$62,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF PAVE, RESURFACE AND IMPROVE WASHINGTON STREET FROM ITS INTERSECTION WITH COLUMBIA STREET NORTHERLY TO ITS INTERSECTION WITH THIRD AVENUE, ALSO COLUMBIA STREET FROM A POINT WEST OF BROADWAY-EASTERLY TO ITS INTERSECTION WITH AIKEN AVENUE.

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

SECTION 1. There shall be borrowed on the credit of the City of Rensselaer the sum of \$62,000.00 and Serial Bonds shall be issued in the aggregate amount of \$62,000.00 or such lesser amount as may be required for the purpose of providing funds to pay a portion of the cost of resurfacing, paving and improving Washington Street from its intersection with Columbia Street northerly to its intersection with Third Avenue also Columbia Street from a point West of Broadway easterly to its intersection with Aiken Avenue, as previously authorized by the Common Council by Resolution adopted August 20, 1958 and by Resolution adopted March 16, 1960.

SECTION 2. The maximum cost of the object or purpose described in Section 1 of this Resolution is hereby estimated to be the sum of \$63,439.96.

SECTION 3. The plan for financing of the object or purpose described in Section 1 of this Resolution is as follows: \$62,000.00 shall be provided by the issuance of Serial Bonds as herein authorized and the balance of the cost to wit, \$1,034.96 shall be paid from Budgetary Appropriations and/or current funds of the City in Code No. 270M. The said sum of \$1,034.96 shall be provided for said purpose prior to the issuance of the bonds herein authorized.

SECTION 4. It is hereby determined and declared that the period of probable usefulness of the object or purpose, or class thereof, for which the bonds herein authorized are to be issued is five (5) years and that Section 11:00, Subdivision 20 of the Local Finance Law applies to such object or purpose, or class thereof.

SECTION 5. The Treasurer is hereby authorized to proceed with the sale of said bonds in the manner provided by law at such time as he shall determine, consistently with this Resolution and with the provisions of the Local Finance Law, the date, maturities, form, interest rate and all other matters relating to said bonds.

(2)
#19
RESOLUTION AUTHORIZING THE ISSUANCE OF \$62,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING A PORTION OF THE COST TO PAVE, RESURFACE AND IMPROVE WASHINGTON STREET FROM ITS INTERSECTION WITH COLUMBIA STREET NORTHERLY TO ITS INTERSECTION WITH THIRD AVENUE ALSO COLUMBIA STREET FROM A POINT WEST OF BROADWAY-EASTERLY TO ITS INTERSECTION WITH AIKEN AVENUE.

WHEREAS, the Common Council of the City of Rensselaer has heretofore at this meeting duly adopted a resolution authorizing the issuance of certain Serial Bonds in the amount of \$62,000.00 for the purpose of paying a portion of the cost to pave and/or Resurface and Improve Washington Street from its intersection with Columbia Street, northerly to its intersection with Third Avenue also Columbia Street from a point west of Broadway-easterly to its intersection with Aiken Avenue, and.

WHEREAS, there are no bond anticipation note or notes outstanding which have been previously issued in anticipation of the sale of said bonds, and,

WHEREAS, the Common Council desires to provide for the issuance of bond anticipation note or notes 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 or notes in the amount of \$62,000.00 shall be issued by the City of Rensselaer for the purpose aforesaid in anticipation of the sale of serial bonds of this City in the amount of \$62,000.00 as heretofore authorized by Resolution adopted at this meeting entitled, "RESOLUTION AUTHORIZING THE ISSUANCE OF \$62,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF PAVE, RESURFACE AND IMPROVE WASHINGTON STREET FROM ITS INTERSECTION WITH COLUMBIA STREET NORTHERLY TO ITS INTERSECTION WITH THIRD AVENUE ALSO COLUMBIA STREET FROM A POINT WEST OF BROADWAY EASTERLY TO ITS INTERSECTION WITH AIKEN AVENUE". Said note or notes are not issued in anticipation of bonds for an assessment improvement. No notes have been previously issued in anticipation of the sale of said bonds, the note or notes herein authorized being an original obligation.

Section 2. The note or notes authorized shall be dated and shall mature at such time as the Treasurer of the City shall determine but its maturity shall not be more than one year after date.

Section 3. The note or notes hereby authorized shall be executed in the name of the City by the Mayor and Treasurer, shall be attested by the City Clerk and shall be sealed with the seal of the City. The note or notes shall be in such form as the Treasurer shall determine.

Section 4. The Treasurer of the City is hereby authorized and directed to proceed with the sale of said note or notes at private sale for not less than par at accrued interest and 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 or notes not specifically determined by said resolution.

Section 5. The faith and credit of said City are hereby pledged for the punctual payment of the principal of and interest on said bond anticipation note or notes. Said bond anticipation note or notes shall be paid from the proceeds of the sale of the bonds in anticipation of which they are issued or may be redeemed as provided by the Local Finance Law of the State of New York.

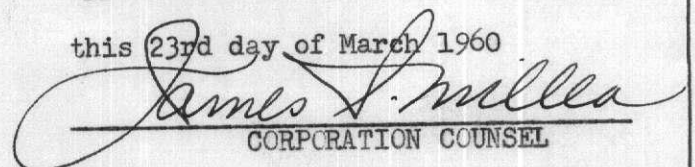
Section 6. The sum of \$1,034.96 appropriated from current funds in the resolution adopted at this meeting authorizing said bonds shall be provided prior to the issuance of the note or notes herein authorized.

Section 7. Pursuant to Section 165-b of the Local Finance Law, the proceeds of such Bond Anticipation Note or notes need not be deposited in a special account but may be deposited and commingled with other funds of the issuer in a bank or trust company located and authorized to do business in this State. The proceeds of such bond anticipation note or notes may be deposited to the Improvement fund of the City of Rensselaer, New York in the National Commercial Bank and Trust Company of Albany.

Section 8. This Resolution shall be dated March 23, 1960 and shall take effect immediately.

Approved as to form and sufficiency

this 23rd day of March 1960


CORPORATION COUNSEL

20 (11)

RESOLUTION AUTHORIZING THE ISSUANCE OF \$22,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER, NEW YORK FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COST OF IMPROVING SIXTH STREET, FARLEY DRIVE, WALLACE TERRACE, WILLIAM TERRACE, HAZEL TERRACE, DELAWARE AVENUE, ILLINOIS AVENUE, WISCONSIN AVENUE, INDIANA AVENUE AND MICHIGAN AVENUE.

Know - Leubner
BE IT RESOLVED, by the Common Council of the City of Rensselaer, New York as follows:

Section 1. There shall be borrowed on the credit of the City of Rensselaer, New York the sum of Twenty Two Thousand (\$22,000.00) Dollars and no cents and serial bonds shall be issued in the aggregate amount of Twenty Two Thousand (\$22,000.00) Dollars and no cents or such lesser amount as may be required for the purpose of providing funds to pay a portion of the cost for the Improvement of the following streets: "SIXTH STREET, FARLEY DRIVE, WALLACE TERRACE, WILLIAM TERRACE, HAZEL TERRACE, DELAWARE AVENUE, ILLINOIS AVENUE, WISCONSIN AVENUE, INDIANA AVENUE AND MICHIGAN AVENUE." as previously authorized by the Common Council by Resolution adopted September 19, 1956.

Section 2. The maximum cost of the object or purpose described in Section 1 of this Resolution is hereby estimated to be the sum of \$33,520.43

Section 3. A previous payment of \$9,315.26 was paid on the balance heretofore described by issuance of a capital note.

Section 4. The plan for financing the object or purpose described in Section 1 of this Resolution is as follows: Twenty Two Thousand (\$22,000.00) Dollars and no cents shall be provided by the issuance of Serial Bonds as herein authorized and the balance of the cost, to wit, \$1,872.17 shall be paid from budgetary appropriations and/or current funds of the city in Code 270M. The said sum of \$1,872.17 shall be provided for said purpose prior to the issuance of the bonds herein authorized.

Section 5. It is hereby determined and declared that the period of probable usefulness of the object or purpose, or class thereof, for which the bonds herein authorized are to be issued is five (5) years and that Section 11:00, Subdivision 20 of the Local Finance Law applies to such object or purpose, or class thereof.

Section 6. The Treasurer is hereby authorized to proceed with the sale of said bonds in the manner provided by law at such time as he shall determine consistently with this Resolution and with the provisions of the Local Finance Law, the date, maturities, form, interest rate and all other matters relating to said bonds.

Section 7. The principal of and interest on said bonds shall be payable in lawful money of the United States of America at the National Commercial Bank and Trust Company of Albany, Rensselaer Branch, Rensselaer, New York, and said bonds shall be in coupon form and shall be signed by the Mayor and the Treasurer of the City of Rensselaer and shall be attested by the City Clerk and sealed with the Corporate Seal of said city, and the coupons shall be authenticated by the facsimile signature of the Treasurer. Said bonds shall be of the denomination of \$500.00 and/or \$1,000.00 each and shall be registered as to principal and interest.

Section 8. The faith and credit of the City of Rensselaer shall be and are hereby pledged for the punctual payment of the principal of and interest on said bonds and a tax shall be levied annually on all the taxable property in said city in an amount sufficient to pay the principal of and interest on said bonds as the time shall become due.

Section 9, Pursuant to Section 165-B of the Local Finance Law, the proceeds of such Serial Bonds need not be deposited in a special account but may be deposited and commingled with other funds of the issuer in a bank or trust company located and authorized to do business in this State. The proceeds of such Serial Bonds may be deposited to the Improvement Fund of the City of Rensselaer, New York, in the National Commercial Bank and Trust Company of Albany.

Section 10. The validity of the bonds herein may be contested only if (1) such obligations are authorized for an object or purpose for which the City of Rensselaer is not authorized to expend money or (2) the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publications, or (3) such obligations are authorized in violation of the provisions of the constitution.

Section 11. This resolution shall be dated March 23, 1960 and shall

take effect immediately.

Approved as to form and sufficiency
this 23rd day of March 1960

James S. Miller
CORPORATION COUNSEL

	AYES	NOES
WILLIAM HOOKKAMP	✓	
LAWRENCE FEDICAH	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
BERNARD FARRELL	✓	
IRVING STEWART	✓	
EDWARD RATCLIFFE	✓	
DONALD LEAHEY	✓	
WALTER S. PRAIT	✓	
TOTAL		

#21
(2)
RESOLUTION AUTHORIZING THE ISSUANCE OF \$22,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER, NEW YORK FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COST OF IMPROVING SIXTH STREET, FARLEY DRIVE, WALLACE TERRACE, WILLIAM TERRACE, HAZEL TERRACE, DELAWARE AVENUE, ILLINOIS AVENUE, WISCONSIN AVENUE, INDIANA AVENUE AND MICHIGAN AVENUE.

WHEREAS, the Common Council of the City of Rensselaer has heretofore adopted a resolution authorizing the issuance of certain Serial Bonds in the amount of \$22,000.00 for the purpose of paying a portion of the cost to improve Sixth Street, Farley Drive, Wallace Terrace, William Terrace, Hazel Terrace, Delaware Avenue, Illinois Avenue, Wisconsin Avenue, Indiana Avenue and Michigan Avenue, and,

WHEREAS, there are no bond anticipation note or notes outstanding which have been previously issued in anticipation of the sale of said bonds, and,

WHEREAS, the Common Council desires to provide for the issuance of bond anticipation note or notes 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 or notes in the amount of \$22,000.00 shall be issued by the City of Rensselaer for the purpose aforesaid in anticipation of the sale of serial bonds of this city in the amount of \$22,000.00 as heretofore authorized by Resolution adopted at this meeting entitled, "RESOLUTION AUTHORIZING THE ISSUANCE OF \$22,000.00 SERIAL BONDS OF THE CITY OF RENSSELAER, NEW YORK FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COST OF IMPROVING SIXTH STREET, FARLEY DRIVE, WALLACE TERRACE, WILLIAM TERRACE, HAZEL TERRACE, DELAWARE AVENUE, ILLINOIS AVENUE, WISCONSIN AVENUE, INDIANA AVENUE AND MICHIGAN AVENUE," Said note or notes are not issued in anticipation of bonds for an assessment improvement. No notes have been previously issued in anticipation of the sale of said bonds, the note or notes herein authorized being an original obligation.

Section 2. The note or notes authorized shall be dated and shall mature at such time as the Treasurer of the City shall determine but its maturity shall not be more than one year after date.

Section 3. The note or notes hereby authorized shall be executed in the name of the City by the Mayor and Treasurer, shall be attested by the City Clerk and shall be sealed with the seal of the City. The note or notes shall be such form as the Treasurer shall determine.

Section 4. The Treasurer of the City is hereby authorized and directed to proceed with the sale of said note or notes at private sale for not less than par at accrued interest and 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 or notes not specifically determined by said resolution.

Section 5. The faith and credit of said City are hereby pledged for the punctual payment of the principal of and interest on said bond anticipation note or notes. Said bond anticipation note or notes shall be paid from the proceeds of the sale of the bonds in anticipation of which they are issued or may be redeemed as provided by the Local Finance Law of the State of New York.

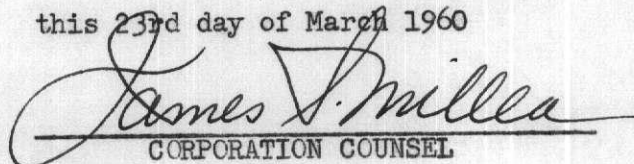
Section 6. The sum of \$1,872.17 appropriated from current funds in the resolution adopted at this meeting authorizing said bonds shall be provided prior to the issuance of the note or notes herein authorized.

Section 7. Pursuant to Section 165-b of the Local Finance Law, the proceeds of such Bond Anticipation Note or notes need not be deposited in a special account but may be deposited and commingled with other funds of the issuer in a bank or trust company located and authorized to do business in this State. The proceeds of such bond anticipation note or notes may be deposited to the Improvement fund of the City of Rensselaer, New York in the National Commercial Bank and Trust Company of Albany.

Section 8. This Resolution shall be dated March 23, 1960 and shall take effect immediately.

Approved as to form and sufficiency

this 23rd day of March 1960


CORPORATION COUNSEL

#22
RESOLUTION AUTHORIZING THE RENEWAL OF BOND ANTICIPATION NOTE MATURING MARCH 20, 1960, ISSUED IN ANTICIPATION OF THE ISSUANCE OF SERIAL BONDS OF THE CITY OF RENSSELAER, NEW YORK FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF RESURFACING RIVERSIDE AVENUE SOUTH FROM ALBANY PORT DISTRICT COMMISSION TO SOUTH CITY LINE

WHEREAS, the City of Rensselaer, New York has heretofore issued its Bond Anticipation Note in the sum of Sixteen Thousand (\$16,000.00) Dollars to mature March 20, 1960 pursuant to Resolution Number 90 adopted by this Common Council, in the anticipation of the issuance of Serial Bonds of the City for the purpose of paying a portion of the cost to pave and/or resurface Riverside Avenue South from Albany Port District Commission to South City Line with Bituminous Macadam and to constrict thereon storm sewers including necessary appurtenances, which resolution was dated September 18, 1957, authorizing the issuance of \$68,000.00 Bond Anticipation Note or notes of the City of Rensselaer for the purpose of paying a portion of the cost to pave and/or resurface Riverside Avenue,

WHEREAS, the Common Council desires to provide for the renewal of said Bond Anticipation Note, now therefore be it,

RESOLVED, by the Common Council of the City of Rensselaer, New York as follows:

Section 1. There shall be issued a Bond Anticipation Note in the amount of \$16,000.00 by the City of Rensselaer in anticipation of the sale of Serial Bonds of the city as shall be issued for the purpose of renewing the Bond Anticipation note hereinbefore described. None of the notes heretofore issued nor the note herein authorized are or is issued in anticipation of the sale of bonds for an assessable improvement.

Section 2. The note herein authorized shall be dated March 20, 1960 and shall mature March 20, 1961.

Section 3. The note hereby authorized shall be issued in the name of the City by the Mayor and City Treasurer, 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 said city are hereby pledged for the punctual payment of the principal and interest on said bond anticipation notes. 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 March 20, 1960, and shall take effect immediately.

Dated at Rensselaer, New York

March 20, 1960

Approved as to Form and Sufficiency

this 20th day of March 1960.

James S. Milla
CORPORATION COUNSEL

	AYES	NOES
WILLIAM HOOBKAMP	✓	
LAWRENCE FEDIGAN	✓	
JOHN MOONEY	✓	
WILLIAM LITHGOW	✓	
STEPHEN BUONO	✓	
BERNARD FARRELL	✓	
IRWIN STEWART	✓	
EDWARD RATCLIFFE	✓	
DONALD LEAHEY	✓	
WALTER S. PRATT	✓	
TOTAL		

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on March 11, 1960.

COMMISSIONERS PRESENT:

James A. Lundy, Chairman
Francis T. Mylott
Richard H. Balch
Aaron L. Jacoby
Ralph A. Lehr

CASE 19924 - Petition of The New York Central Railroad Company for authority to change the status of its agency freight stations at Rensselaer, Troy, Cohoes, Green Island and West Albany to that of non-agency freight stations.

* * *

The New York Central Railroad Company by petition verified October 7, 1959, having requested authority to change the status of its agency freight stations at Rensselaer, Troy, Cohoes, Green Island and West Albany to that of non-agency freight stations, to place said stations together with its non-agency freight stations at Karner, Dunsbach Ferry and Crescent under the jurisdiction of its freight agent at Albany, and to retire the station buildings, and public hearing after due notice having been held, and the Commission having determined that relief should be granted as hereinafter set forth, it is

O R D E R E D:

1. That The New York Central Railroad Company, subject to the conditions hereinafter set forth and not otherwise, is hereby authorized, on the effective date of tariffs filed in conformity with this order and the provisions of Rule 10(i) of this Commission's Tariff Circular 104, to change the status of its Rensselaer, Troy, Cohoes, Green Island and West Albany stations from that of agency freight stations to that of non-agency stations handling carload

freight under the jurisdiction of its agent at Albany and to retire the station buildings.

2. That existing track facilities for handling carload freight at said stations shall be retained.

3. That appropriate tariff provisions shall be continued or made effective for the performance of pickup and delivery service in connection with less-carload freight in the Rensselaer, Troy, Cohoes, Green Island and West Albany areas.

4. That appropriate tariff amendments shall be made to permit the acceptance of inbound carloads on order-notify bills of lading, or with freight charges collect, or of stopover cars at each of the aforementioned stations and at the Karner, Dunsbach Ferry and Crescent stations.

5. That The New York Central Railroad Company shall assume payment of telephone toll calls made from the area of each of the aforementioned stations and the Karner, Dunsbach Ferry and Crescent stations to Albany by patrons of the railroad in connection with freight traffic.

6. That upon the discontinuance of the agent at Cohoes, Albany shall be made the governing station for Dunsbach Ferry and Crescent and that a copy of this order and the examiner's report herein, approved on even date herewith, shall be filed in Cases 1911 and 15125.

By the Commission,

(SEAL)

(SIGNED)

ALTON G. MARSHALL
Secretary

CRG:JB

R

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

APPROVED BY THE COMMISSION **MAR 11 1960**

CASE 19924 - Petition of The New York Central Railroad Company for authority to change the status of its agency freight stations at Rensselaer, Troy, Cohoes, Green Island and West Albany to that of non-agency freight stations.

APPEARANCES:

Hiscock, Cowie, Bruce, Lee & Mawhinney,
(by William R. Stevens) 300 First Trust
Building, Syracuse, New York, Attorneys
for The New York Central Railroad Company,
petitioner.

F. L. TITUS, Examiner:

The New York Central Railroad Company, with its principal office in New York City, requests authority to change the status of its agency stations at Rensselaer, Troy, Cohoes, Green Island and West Albany to that of non-agency freight stations and to place said stations, together with the non-agency stations at Karner, Dunsbach Ferry and Crescent, under the jurisdiction of its freight agency at Albany, to extend pickup and delivery service as circumstances warrant, to retire the station buildings and amend tariffs accordingly.

The railroad company's superintendent of stations and motor service testified that he had made an investigation of the work performed at the various stations and had concluded that such work could be put under one service center at Albany. The company has been making changes and attempting to centralize and control its operations by choosing a service center and consolidating several other stations under its jurisdiction. The proposed changes are not based upon loss of business but on more efficient operation. The Albany freight agency would be operated as a service center, and representatives of the company would perform the necessary station work at the various non-agency stations under its jurisdiction.

C. 19924

The Rensselaer station is covered at present by a clerk on duty Monday through Friday, whose duties consist of yard checking, billing and other station work. The company proposes to use a yard clerk for track checks, who would be under the supervision of the trainmaster. It also proposes to have a traveling representative perform the station work under the supervision of the Albany freight agent.

The Troy station is covered at present by two clerks on duty Monday through Friday, one of whom takes care of the Green Island station. Under the proposed arrangement, there would be a representative on duty in the yard office who would sign bills of lading, handle claims, take care of cars requiring refrigeration or heating and prepare non-revenue billing on outbound cars at Troy, Cohoes and Green Island. An additional yard clerk would be on duty at the yard office in Troy under the jurisdiction of the trainmaster, who would make the demurrage checks.

The West Albany station is now covered by two clerks Monday through Friday, who perform the ordinary agency services. The company proposes to have one clerk on duty who would prepare memo bills on outbound cars and notify consignees of arrivals. The track check at West Albany, Karner and Tivoli Hollow would be made by a representative working out of the Albany office.

The non-agency stations of Karner, Dunsbach Ferry and Crescent would continue to be serviced substantially as at present. Enterprise telephone numbers would be provided so that patrons in the areas of the proposed non-agency stations could call the Albany service center without toll charge.

Less carload pickup and delivery service is available at present at Rensselaer, Troy, Cohoes, Green Island and West Albany. The witness stated that such service would be continued and extended to Karner, Dunsbach Ferry and Crescent as circumstances may require.

Tariff provisions would be made so that shipments on order-notify bills of lading and collect shipments could be handled at the proposed non-agency stations. No one appeared in opposition to the company's proposal.

The company did not present detailed figures as required by Rule 21 of the Rules of Procedure but requested a waiver as part of its petition. The company is not basing its application on lack of business handled or on savings to be gained. Under the circumstances, such figures would have little bearing on the merits of the proposal.

Discussion and Recommendation

The proposed change from agency to non-agency status of the stations under consideration apparently would involve little, if any, change in services to the public. The major change in personnel would occur at Cohoes where the business would be handled by one of the clerks stationed at Troy. Company employees would be stationed in Troy and West Albany and a traveling representative and a yard clerk would take care of Rensselaer. A clerk from Troy would continue to handle the company's business at Green Island as at present. There would be no change in carload service at Karner, Dunsbach Ferry and Crescent.

It appears that service to the public would not be adversely affected by the proposed changes in the company's operating procedures.

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It is recommended that the railroad company be authorized to change the status of its Rensselaer, Troy, Cohoes, Green Island and West Albany stations from that of agency freight stations to that of non-agency stations handling carload freight under the jurisdiction of its agent at Albany, and retire or otherwise dispose of the station buildings, upon condition (1) that the existing track facilities be retained for the handling of carload freight, (2) that appropriate tariff provisions be continued or made effective to perform pickup and delivery service in connection with less carload freight in the Rensselaer, Troy, Cohoes, Green Island and West Albany areas, (3) that appropriate tariff provisions be made effective to permit the acceptance of inbound carloads on order-notify bills of lading, or with freight charges collect, or of stopover cars, and (4) that the railroad company assume payment of telephone charges from the localities of the proposed non-agency stations to Albany in connection with railroad business. It is further recommended that the railroad company be authorized to transfer jurisdiction over its non-agency stations at Dunsbach Ferry and Crescent from Cohoes to Albany.

February 18, 1960

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