

CITY OF RENSSELAER
IN
COMMON COUNCIL
WEDNESDAY EVENING June 27
REGULAR MEETING

1944

8-30

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEAL		
J. DISTELL	✓	
M. HART	✓	
J. McGOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

The Council convened at 8 o'clock P. M. and was called to order by Pres. Albright.

The roll being called the following answered to their names:
Pres. Albright

Alderman Fedigan	Alderman McGowan
Senecal	Boyd
Distell	Welsh
Hart	Clarke

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

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

TREASURER'S REPORT
WELFARE COMMISSIONERS REPORT

PRESENTATION OF PETITIONS
REMONSTRANCES AND COMMUNICATIONS

PRESENTATION OF ACCOUNTS

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

REPORT OF COMMITTEES

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 street payroll.

Pratt - Fedigan adjourn

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEAL		
J. DISTELL	✓	
M. HART	✓	
J. McGOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEAL		
J. DISTELL	✓	
M. HART	✓	
J. McGOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

CASH REPORT

MAY 1944

Balance on hand	April 30	\$ 62,779.59
Receipts for	May	<u>74,261.28</u>
Payments for	May	<u>\$137,040.87</u>
		<u>36,172.75</u>
		<u>\$100,868.12</u>
Balance on hand	General Fund Rensselaer County Bank	\$ 45,238.10
Tax Sale Redemption No.	18814	1,935.22
Trust Cash Acct. No.	6847	384.91
Contractors Retainers No.	12440	1,831.97
City Bonds Acct. No.	6326	15,787.71
Capital Reserve No.	11601	624.21
School Fund Saving No.	12845	513.96
Miscellaneous Funds No.	10781	4,000.00
Refunding Reserve No.	12754	2,733.26
1935 Curbing Acct. No.	16189	2,642.00
Cash on hand, City and School		1,236.80
Cash on hand, State and County		
1931 Sidewalk & Sewer Asst.	13342	2.50
Special Checking: Parking Meters		163.60
Special Checking: Improvement Fund		443.15
Special Checking: Tax Sale Redemption		146.86
Special Checking: Income Tax		4,723.46
Special Checking: W. P. A.		<u>18,460.41</u>
		<u>\$100,868.12</u>

Respectfully submitted,

Albert J. Scheibly
City Treasurer

Pratt

BILLS TO BE PRESENTED JUNE 7, 1944

7837	B'way Tire & Battery, supplies	\$ 45.25
7838	W. L. Coughtry, supplies	7.30
7839	James Coogan, dog warden	96.00
7840	American LaFrance, supplies	51.84
7841	St. Peter's Hospital, care of sick	36.00
7842	St. Peter's Hospital, "	15.00
7843	N. Y. Power & Light, service	89.57
7844	N. Y. Power & Light, "	2.01
7845	Chippewa Mills, supplies	12.12
7846	M. Bender, supplies	15.00
7847	John T. Blackburn, supplies	5.25
7848	H. E. Wicks, gasoline	87.00
7849	B. Van Acker, supplies	169.88
7850	" "	60.18
7851	Frank Deacy, "	10.60
7852	Thomas Devine, service	10.20
7853	Josephine Reed, supplies	10.62
7854	Wm. Bonacker, ice	5.40
7855	Wm. Bonacker, ice	36.40
7856	N. Y. Telephone Co., service	101.94

BILLS TO BE PRESENTED JUNE 7, 1944

W. P. A.

158 City of Rensselaer, street project

\$1191.96

BILLS TO BE AUDITED JUNE 7, 1944

7809	Harry Linindoll, rat control	\$ 125.00
7810	Geo. H. Mollenkopf, supplies	9.20
7811	A. J. Leffler, gas	99.40
7812	W. L. Coughtry, supplies	5.52
7813	Alb.-Renss. Paint Co., supplies	16.32
7814	Equip. Rental Sales Co., supplies	17.34
7815	G. A. March, supplies	30.30
7816	James Coogan, dog warden	64.00
7817	Albany Hosp. for Incurables, care of sick	244.00
7818	Albany Hospital, care of sick	224.00
7819	Memorial Hospital, "	35.00
7820	N. Y. Power & Light, service	.75
7821	" "	2713.37
7822	Morgan Linen Co., "	39.60
7823	Uno J. Eckman, service	18.00
7824	N. Y. Telephone Co., service	119.83
7825	Mary Wood, laundry service	1.25
7826	Dr. Thos. Phelan, medical service	59.00
7827	Elbert Phillips, expenses	3.00
7828	Madeline Lemperle, insurance	39.17
7829	Green's, supplies	1.40
7830	H. C. Younghans, stamps, office supplies	12.00
7831	Albert J. Scheibly, expenses (registered mail)	.78
7832	Coolig & Gottlieb, supplies	16.63
7833	G. A. March, supplies	7.00
7834	Wm. Bonacker, ice	5.00
7835	Carlton Wentworth, supplies	25.00
7836	Wolf Coal Co., coal	41.37

TRIAL BALANCE

REPORT FOR MONTH OF MAY

1944

Current Cash	\$ 68,044.21	
City & School Tax	16,086.18	
State & County Tax		
Tax Arrears	152,969.58	
Due County Treasurer		
Estimated Revenues School City	1,382.65	
Reserve for Arrears	50,984.96	\$152,969.58
Current Revenues		4,881.20
Current Appropriations		99,904.06
Reserve for Unappropriated Revenues		33,980.12
Due from Assessment Acct.	2,257.33	
	<u>\$291,734.96</u>	<u>\$291,734.96</u>
Assessment Cash	3,596.26	
" Receivable	2,223.82	
" Interest on Loans	309.38	
" Loans		8,000.00
" Revenues		295.82
" Surplus	5,126.78	
Old Granite Block Asst.	24,027.26	
Reserve for Assessment Arrears		24,720.30
Due to Current Account		2,257.33
	<u>\$35,283.50</u>	<u>\$35,283.50</u>
Capital Cash	20,041.63	
City Properties	1,618,300.00	
Public Improvement	1,319,026.03	
Capital Appropriation		19,041.83
Authorized Construction	17,197.69	
Temporary Loans		17,197.69
Reserve for Capital Obligations		
Interest on Savings		1.61
Capital Loans		727,400.00
Capital Surplus		2,210,924.22
	<u>\$2,974,565.35</u>	<u>2,974,565.35</u>
Trust Cash	9,186.02	
Tax Sale Redemption		2,082.08
Charity Trust		384.91
Contractors Retainers' Fees		1,831.97
Parking Meters		163.60
Income Tax		4,723.46
	<u>\$9,186.02</u>	<u>\$ 9,186.02</u>

*Pratt
received*

RESPECTFULLY SUBMITTED,
Albert J. Scherby
CITY TREASURER



CITY OF RENSSELAER
OFFICE OF THE CORPORATION COUNSEL

JAMES S. MILLEA
CORPORATION COUNSEL

May 3, 1944

Board of Alderman
Rensselaer, New York

Gentlemen:

Enclosed herewith you will find self-explanatory letter received by me from DeGraff and Foy, Esqs., attorneys for the Atlantic Refining Company. I suggest that you refer this matter to the Law Committee, City Engineer and the Commissioner of Assessment and Taxation for action thereon.

Very truly yours,

James S. Millea
s.l.h.

JAMES S. MILLEA

JSM/dlh

DEGRAFF AND FOY
ATTORNEYS AND COUNSELLORS AT LAW
HOME SAVINGS BANK BUILDING
11 NORTH PEARL STREET
ALBANY, N. Y.

JOHN T. DE GRAFF
GEORGE W. FOY
ALDEN CHESTER MERRICK
EUGENE J. NATHAN
WILLIAM F. CONWAY

TELEPHONE
3-4196
3-4197
3-4198

May 1, 1944

Mr. James S. Millea
Corporation Counsel, City of Rensselaer
90 State Street
Albany 7, N. Y.

MAY 2 1944

Dear Mr. Millea: Re: 1942 and 1943 Certiorari Proceedings
The Atlantic Refining Company

Confirming the offer made by us on behalf of The Atlantic Refining Company at a conference held on May 1, 1944, we wish to advise you that The Atlantic Refining Company will compromise the above proceedings by a reduction in tax assessments for each of the years 1942 and 1943, on the following basis:

Reduction in Improvement assessment from \$82,500	
to \$77,500, or a reduction of	\$ 5,000
Reduction in Land assessment from \$80,000 to	
\$57,525, or a reduction of	22,475
Total reduction for each year	<u>\$27,475</u>

The above Land valuation figure is based as follows:

Uplands - 7.54 acres at \$5,000 per acre -	\$37,700
Lowlands- 7.93 acres at \$2,500 per acre -	19,825
	<u>\$57,525</u>

This valuation of land is on the same basis as that on which the other oil companies are presently assessed within the City of Rensselaer.

On January 20, 1944, at a conference had with Justice Bergan, you offered, on behalf of the City of Rensselaer, to reduce the improvement assessment \$5,000, and to reduce the land assessment from \$80,000 to \$63,675. This offer was based on your claim that the land should be assessed on the following basis:

10 acres Uplands at \$5,000	- \$50,000
5.47 acres Lowlands at \$2,500	- 13,675
	<u>\$63,675</u>

We submitted this offer to our client and the Engineering Department rechecked the acreage and now insists that the land should be assessed on a basis of 7.93 acres of lowlands and 7.54 acres of uplands. Maps have been prepared substantiating the position of the Engineering Department of The Atlantic, and your offer is rejected.

We have been authorized by The Atlantic Refining Company to advise you that if the above entitled proceedings are

Mr. James S. Millea 2

May 1, 1944

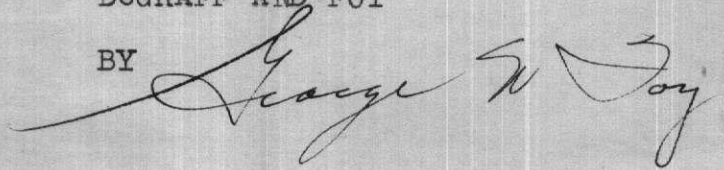
settled on the basis outlined above, viz, land reduced from \$80,000 to \$57,525 and the improvements reduced from \$82,500 to \$77,500, or a total reduction of \$27,475, that such reduced assessments will be satisfactory to that company and that no application for a further reduction will be made in 1944. This will put The Atlantic on the same basis as all other oil companies owning property within the Rensselaer City Limits, and we believe that this will clear up the certiorari problems for the present.

Will you kindly advise us concerning this at your earliest convenience?

Very truly yours,

DeGRAFF AND FOY

BY



GWF:ELK

CHEMICAL AND HOSE FIRE COMPANY NO. 4

RENSSELAER, N. Y.

June 3 1944.

Hon. W^m Albright:
Pres. Board of Aldermen.
Rens. N. Y.

Dear Sir. At our last regular meeting I was requested to write to you that this company is in favor of a temporary increase in pay for our fire drivers.

Very Truly Yours.
W^m J. Clark
Sec.

Pratt
Rec'd filed

NOTICE OF SALE

Pursuant to a resolution duly adopted by the Common Council of the City of Rensselaer, New York, on the 7th day of June 1944, I, the undersigned City Treasurer, will sell at public auction at my office in the City Hall Building, Rensselaer, N. Y., on the 11th day of July 1944, at 11 o'clock A. M., War Saving Time, all of the right, title and interest of the City of Rensselaer, in and to the premises known as 1466 First Street, Rensselaer, N. Y., Blk 155, Plot 28, House, lots, S. Pt. 82-83 (37½'x100').

No bid will be accepted in a sum less than \$50.00 for such parcel and the terms of the sale will be announced at the time of sale.

I also reserve the right to accept or reject any and all bids.

ALBERT J. SCHEIBLY
City Treasurer

To be inserted June 16, 23, 30 and July 7, 1944

119
BY ALDERMAN WELSH:

WHEREAS, The City of Rensselaer has acquired an interest in and to the premises hereinafter described by virtue of certain tax sales conducted by the Treasurer of said City for the collection of unpaid City and School taxes heretofore levied and assessed against those premises assessed in the name of H. Leich on the tax roll for the year 1942 and described in said tax roll as follows: Blk 155, Plot 28, house, lots, S. pt. 82-83 (37½'x100') 1466 First St.

Tax Year 1943 \$63.21

<u>TAX YEAR</u>	<u>SALE YEAR</u>	<u>CERT. NO.</u>	<u>PURCHASER</u>	<u>TAX</u>	<u>SOLD FOR</u>
1942	1943	197	City	\$65.11	\$71.99
1941	1942	188	"	65.20	72.09
1940	1941	210	"	72.11	79.27
1939	1940	203	"	66.54	73.28
1938	1939	237	"	66.86	73.62

WHEREAS, It is deemed advisable and to the best interest of the City of Rensselaer, that said City of Rensselaer sell and dispose of so much of its interest in and to the aforesaid premises as was acquired by virtue of the taxes and tax sales hereinbefore specified; 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 acquired by reason of the aforesaid taxes and tax sales for sale once each week for three consecutive weeks, four times in the official paper of the City of Rensselaer, and to thereafter proceed to sell the City's interest in said premises according to law, without any covenant or warrant or representative whatever, and on the following terms: five per cent (5%) of the purchase price payable at the time of sale and the balance to be paid upon the delivery of a quit claim deed of the interest of the City of Rensselaer as aforesaid by the City Treasurer thereof; that the 1943 tax of \$63.21, with interest and penalties, be paid; no bids less than Fifty Dollars (\$50.00) will be received; and the City Treasurer shall reserve the right to refuse any and all bids.

DATED: JUNE 7, 1944

Approved as to form and sufficiency

James S. Miller
Corporation Counsellor

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEAL	✓	
J. DISTELL	✓	
M. HART	✓	
J. McGOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

120
BY ALDERMAN WELSH:

RESOLVED, That the City Engineer be and he hereby is authorized and directed to prepare plans, specifications and an estimate for the improvement of Fowler Avenue by the construction of concrete gutters on both sides of the street and also the grading and resurfacing of the street from First Street east to lower Second Street for the next regular meeting of the Common Council, June 21, 1944.

DATED: JUNE 7, 1944

Approved as to form and sufficiency

James S. Miller
.....
Corperation Councillor

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEQAL		
J. DISTELL	✓	
M. HART	✓	
J. Mc GOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

121

BY: ALDERMAN PRATT

WHEREAS, there was assessed for the purpose of taxation for State and County Taxes for the years 1942 and 1943, the following parcel of real estate belonging to THE ATLANTIC REFINING COMPANY, situate in the City of Rensselaer, New York, to wit:

1942	THE ATLANTIC REFINING COMPANY	Total	\$162,500.00
1943	THE ATLANTIC REFINING COMPANY	Total	\$162,500.00

Location of property - Ward Nine, Section five, Riverside Avenue, and

WHEREAS, certiorari proceedings were instituted by the said THE ATLANTIC REFINING COMPANY, in the Supreme Court to review said assessment for each of the several years 1942 to 1943, and such proceedings are still pending, and

WHEREAS, it has been recommended to the Common Council by the Corporation Counsel and Commissioner of Assessment and Taxation of this City that said assessments of said property for the several years as aforesaid owned by THE ATLANTIC REFINING COMPANY, be corrected and reduced as follows:

1942	from \$162,500	to	\$135,025.00
1943	from \$162,500	to	\$135,025.00

NOW, THEREFORE, BE IT RESOLVED, that the Corporation Counsel and the Commissioner of Assessment and Taxation of this City be and they hereby are authorized, empowered and directed to enter into a stipulation with the attorneys for the relators above mentioned, compromising and settling each of the certiorari proceedings instituted by the said relator for the review of each of the assessments for the State and County Tax for the years 1942 to 1943, correcting and reducing the said assessment for each of the years as above recited and consenting that a final order be granted and entered on such stipulation, without costs, reducing the said assessment as aforesaid, for each of such years and directing the officials of the County of Rensselaer having custody of said assessment

rolls to correct the assessment on each said assessment roll and that all taxes heretofore levied on said assessments not yet paid by the said relator, be reduced in amount proportionately with such reduced assessments by said officials on said assessment rolls in their charge, and upon payment by the said relator of the taxes so reduced, with interest as required by law, a receipt in full for said taxes shall be given and that such taxes paid by the said relator, levied on said assessment rolls before reduced, shall be proportionately refunded to said relator, or its assignees, without interest, and be it further,

RESOLVED, that this Council do and it hereby does authorize and request the Board of Supervisors of the County of Rensselaer to adopt such resolutions as it may deem proper to authorize and direct the Treasurer of the County of Rensselaer to correct and reduce the assessments, as hereinabove recited, and to refund to the relator the amount of over-payment of taxes based on such valuations as corrected and reduced and to charge said refunds back to the City of Rensselaer.

DATED: June 7, 1944

Approved as to form and sufficiency

James S. Billea

 Corporation Counsel

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN		
C. SENEAL		
J. DISTELL	✓	
M. HART		
J. Mc GOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

BY: ALDERMAN PRATT

WHEREAS, there was assessed for the purpose of taxation for City and School taxes for the year 1942 to 1943, the following parcel of real estate belonging to THE ATLANTIC REFINING COMPANY, situate in the City of Rensselaer, New York, to wit:

1942	THE ATLANTIC REFINING COMPANY	Total \$162,500.00
1943	THE ATLANTIC REFINING COMPANY	Total \$162,500.00

Location of property - Ward 9, Section 5, Riverside Avenue, and

WHEREAS, Certiorari proceedings were instituted by THE ATLANTIC REFINING COMPANY, in the Supreme Court to review said assessment for each of the several years, 1942 and 1943 and such proceedings are still pending, and

WHEREAS, it has been recommended to this Common Council by the Corporation Counsel and Commissioner of Assessment and Taxation of this City that the assessments of said property for the several years as aforesaid owned by THE ATLANTIC REFINING COMPANY, be corrected and reduced as follows:

1942	from \$162,500	to	\$135,025.00
1943	from \$162,500	to	\$135,025.00

and that, upon the auditing and allowing to the said THE ATLANTIC REFINING COMPANY, and its predecessors of the amount paid by it on such excess assessment, the same be refunded to said THE ATLANTIC REFINING COMPANY, in two (2) yearly installments.

NOW THEREFORE, BE IT RESOLVED that the Corporation Counsel and the Commissioner of Assessment and Taxation of this City are hereby authorized, empowered and directed to enter into a stipulation with the attorney for THE ATLANTIC REFINING COMPANY, compromising and settling each of the certiorari proceedings instituted by the said THE ATLANTIC REFINING COMPANY, for the review of each of the assessments for the years 1942 to 1943, correcting and reducing the said assessment for each of said years as follows:

1942 from \$162,500 to \$135,025.00
1943 from \$162,500 to \$135,025.00

and consenting that a final order be granted and entered on such stipulation, without costs, reducing the said assessment as aforesaid for each of such years and directing the officials of the City of Rensselaer having custody of said assessment rolls, or copies thereof, to correct the assessment on each of said assessment rolls and that all taxes heretofore levied on said assessments not yet paid by said THE ATLANTIC REFINING COMPANY, the relator in such proceedings, be reduced in amount proportionately with such reduced assessments by said officials on said assessment rolls in their charge and upon payment by the said THE ATLANTIC REFINING COMPANY, of the taxes so reduced, with interest as required by law, a receipt in full for said taxes and said reduced assessments shall be given by said officials to whom payment is lawfully made and that such taxes paid by said THE ATLANTIC REFINING COMPANY, levied on said assessment rolls before reduced shall severally be proportionately refunded to said THE ATLANTIC REFINING COMPANY, or its assigns, without interest, upon the same being audited and allowed by this Common Council and payable in two (2) equal yearly installments, each installment to be included in the annual tax levy of this city, commencing with the tax levy for the year 1945 and continuing until each installment is paid, such installments to be paid on the first day of September, in each year, commencing September 1, 1945 and upon default on the part of this city to include any one or more of such installments in such tax levy, then, at the option of the said THE ATLANTIC REFINING COMPANY or its assignees, the whole amount of such refund shall immediately become due and payable and the full amount unpaid, without interest, shall be included in the tax levy of this city next following and paid to said THE ATLANTIC REFINING COMPANY or its assignees, and be it further

RESOLVED that the Mayor of this city, in the name of and under its corporate seal, is hereby authorized, empowered and directed to enter into an agreement with the said THE ATLANTIC REFINING COMPANY, providing for the refunding to the said THE ATLANTIC REFINING COMPANY or its assignees of such excess taxes so to be audited and allowed to said Company.

DATED: June 7, 1944

Approved as to form and sufficiency

Amos S. Miller
.....
Corporation Counsel

ALDERMAN	AYES	NOES
W. ALBRIGHT	✓	
L. FEDIGAN	✓	
C. SENEAL		
J. DISTELL	✓	
M. HART	✓	
J. McGOWAN	✓	
D. BOYD	✓	
J. WELSH	✓	
E. CLARKE	✓	
W. PRATT	✓	
TOTAL		

BY ALDERMAN WELSH:

RESOLVED, That the City Engineer be and he hereby is authorized and directed to prepare specifications and an estimate for the removal of stumps of trees ^{and} that were topped some time ago in the Seventh Ward and report back as the next regular meeting of the Common Council, June 21, 1944. *through out the city*

DATED: JUNE 7, 1944

Approved as to form and sufficiency

James S. Miller
.....
Corperation Councellor

Lanforn