



**NANCY E. HARDT**  
*City Clerk*

# CITY OF RENSSELAER

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OFFICE OF  
**THE CITY CLERK**

CITY HALL  
62 WASHINGTON STREET  
RENSSELAER, NEW YORK 12144

(518) 462-4266  
Fax: (518) 462-0890

AGENDA  
EMERGENCY COMMON COUNCIL MEETING  
SEPTEMBER 27, 2024

1. A RESOLUTION TO OVERRIDE VETO OF MAYOR STAMMEL OF PRIOR RESOLUTION NUMBER 4 ADOPTED BY COMMON COUNCIL ON SEPTEMBER 4, 2024: "A RESOLUTION ADJUSTING THE 2024-2025 BUDGET-COMMON COUNCIL"

# 1

By Alderperson

De Francesco

Seconded by Alderperson

Burton

**A RESOLUTION TO OVERRIDE VETO OF MAYOR STAMMEL OF PRIOR RESOLUTION NUMBER 4 ADOPTED BY COMMON COUNCIL ON SEPTEMBER 4, 2024: “A RESOLUTION ADJUSTING THE 2024-2025 BUDGET-COMMON COUNCIL”**

**WHEREAS**, the Common Council of the City of Rensselaer adopted Resolution Number 4 on September 4, 2024, titled “A RESOLUTION ADJUSTING THE 2024-2025 BUDGET-COMMON COUNCIL” (the “Resolution”), and

**WHEREAS**, among other actions, the Resolution reduced Line Item A.3620.7150 in the City’s 2024-2025 Budget, for “Building and Code Enforcement – Clerical,” from \$40,052.00 to \$100.00; and

**WHEREAS**, at the time the Resolution was adopted, the Common Council was aware that the Mayor of the City (“Mayor Stammel”) had attempted to appoint, under the Building and Code Enforcement – Clerical line item, an individual to a “Senior Clerk” position in the Building and Code Enforcement Office; and

**WHEREAS**, the individual in question had recently plead guilty to twelve (12) felony counts in Federal Court; with those felonies and the guilty plea involving the individual’s unlawful use of identification of other persons and information obtained by the individual through his prior public sector job with the County of Rensselaer; and

**WHEREAS**, as part of his plea agreement the individual was expressly required to resign from his public sector position with the County of Rensselaer; and

**WHEREAS**, individuals employed in the Building and Code Enforcement Office of the City of Rensselaer have access to sensitive information concerning the City’s finances and residents, including through the City’s “New World” and “Municipity” databases; and

**WHEREAS**, the Common Council previously determined that the seriousness of the felony offenses this individual had plead guilty to; the mature age of the individual when the offenses were committed; the short time that had elapsed from the commission of the offenses and plea; and the lack of information regarding any rehabilitation (particularly in light of the fact that the individual has not yet been sentenced or served his sentence), have a direct bearing on the individual’s fitness to perform duties and

responsibilities necessarily required of a Senior Clerk in the Building and Code Enforcement Office; and

**WHEREAS**, the Common Council determined that there is a direct relationship between the employment of the individual as a Senior Clerk in the Building and Code Enforcement Office and the criminal offenses plead to; and that the employment would involve an unreasonable risk to the City of Rensselaer and its residents; and

**WHEREAS**, the Common Council having been advised that Mayor Stammel returned a veto message to the City Clerk concerning the Resolution, and the City Common Council having now carefully reconsidered such Resolution Number 4, a copy of which is attached hereto; as well as the Common Council's original reasons for adopting same; and

**WHEREAS**, the City Common Council being advised that any veto override requires a 2/3 vote of the Common Council, and

**WHEREAS**, the City Common Council believes Resolution Number 4 adopted on September 4, 2024 is appropriate as to form and substance, and that passage of such Resolution over the veto of Mayor Stammel is in the best interests of the City of Rensselaer; and good cause existing therefore.

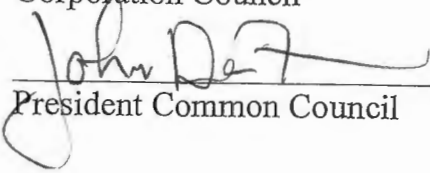
**NOW, THEREFORE BE IT RESOLVED**, that the attached Resolution Number 4 previously adopted by the Common Council on September 4, 2024, is hereby readopted over the veto of Mayor Stammel, pursuant to section 67 of the City Charter.

**NOW, BE IT FURTHER RESOLVED**, that this action takes place immediately.

Approved as to form and sufficiency  
this 27<sup>th</sup> day of September 2024

James Van Vorst	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Ernest K. Dambrose	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Bryan Leahy	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Andrew P. Kretzschmar	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent
Eric Endres	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Anne E. Burton	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
John DeFrancisco	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	5 Aye	1 No	0 Abstain	1 Absent
Result	PASSED			

\_\_\_\_\_  
Corporation Council

  
\_\_\_\_\_  
President Common Council



**MICHAEL STAMMEL**  
MAYOR

# CITY OF RENSSELAER

## OFFICE OF THE MAYOR

CITY HALL  
62 WASHINGTON STREET  
RENSSELAER, NEW YORK 12144



(518) 462-9511  
Fax: (518) 462-9895

September 13, 2024

City Clerk  
City Hall  
62 Washington Street  
Rensselaer, New York 12144

RE: Veto Message

Dear Clerk,

Pursuant to the Rensselaer City Charter, Section 67, I hereby veto Resolution No. 4, a **"RESOLUTION ADJUSTING THE 2024-2025 BUDGET"**, passed by the Common Council at the September 4, 2024 Common Council Meeting.

I object to such Resolution in that I believe such Resolution is arbitrary and capricious and in violation of the Teamsters Union Contract. I stand ready to work with the Common Council on addressing the needs of the residents of the City of Rensselaer as they relate to the subject matter of the vetoed Resolution.

Thank you for your kind attention and assistance.

Respectfully,

Michael Stammel  
Mayor

#4

By Alderperson : DeFrancesco

Seconded by Alderperson : Ann Burton

**A RESOLUTION ADJUSTING THE 2024-2025 BUDGET – COMMON COUNCIL**

WHEREAS, the Common Council wishes to adjust the budgeted funds in the Building and Zoning Department.

NOW, THEREFORE BE IT RESOLVED, that the Common Council for the City of Rensselaer hereby amends the 2024-2025 Adopted Budget as follows below,

GENERAL FUND				
From:				
Line Item	Description	Present	Change	Revised
A.3620.7150	Building and Code Enforcement - Clerical	\$40,052.00	(-39,952.00)	\$100.00
To:				
Line Item	Description	Present	Change	Revised
A.1010.7150	Common Council - Clerical	\$10,000.00	+39,952.00	\$49,952.00

Approved as to form and sufficiency

This 4th day of September 2024

James Van Vorst	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Ernest K. Dambrose	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Bryan Leahey	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Andrew P. Kretzschmar	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Eric Endres	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Anne E. Burton	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
John DeFrancesco	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	5 Aye	2 No	0 Abstain	0 Absent
Result	PASSED			

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Corporation Counsel

\_\_\_\_\_  
Mayor