

TROY CITY COUNCIL AGENDA
FINANCE MEETING
August 4, 2016
5:30 P.M.

Pledge of Allegiance
Roll Call

Pursuant to Section 2-25 Entitled "Public Forum" of the Special Rules of Order of the Troy City Council a period of time shall be designated during each regular or special meeting of the City Council as a public forum during which citizens of the City shall be permitted to address the Council on legislation on that meeting's agenda and on any subject appropriate to the conduct of Troy City government. Length of time allotted for citizen comment shall be no longer than five (5) minutes per speaker for Agenda items, and five (5) minutes per speaker on other government issues.

1. Review 2nd Quarter Financial Report

LOCAL LAW

ORDINANCES

RESOLUTIONS

77. Resolution Confirming City Council's Appointment of Jeanette Nicholson to The Troy Community Landbank (Council President Mantello)
78. Resolution Placing a Temporary Hold on Sales of City-owned Real Property and a Moratorium on Sales of City-owned Real Property to City Employees in Policy-making Positions. (Council President Mantello and President Pro Tempore McGrath)
79. Resolution Appointing Cate McLoughlin Perry as City Auditor for the City of Troy. (Council President Mantello)
80. Resolution Appointing Steve Strichman as Commissioner of Planning and Economic Development. (Council President Mantello)

TABLED LEGISLATION 2016

69. Resolution To Amend § 3 -103 G. Of The City Of Troy Procurement Policy. (Council President Mantello) **Tabled at 7-7-16 meeting**
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**RESOLUTION CONFIRMING CITY COUNCILS APPOINTMENT OF JEANETTE NICHOLSON TO
THE TROY COMMUNITY LANDBANK**

WHEREAS, pursuant to the New York State Not-For-Profit Law Article 16, the Troy Community Landbank was established to assist in community revitalization efforts; and

WHEREAS, the Troy Community Landbank Board of Directors consists of eleven members, four (4) of whom shall be appointed by the Mayor; four (4) of whom are appointed by majority vote of all the members of City Council; two (2) of whom are appointed from the School Districts in the City of Troy, one representative from each; and one (1) of whom is appointed by majority vote of the other members;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby confirms Jeanette Nicholson residing at 55 2nd Avenue, Troy New York as a replacement for a Nina Glandz who has resigned from her one year term on the Troy Community Landbank Board of Directors with Ms. Nicholson's one year term to commence immediately.

Approved as to form, July 27, 2016

Kevin P. Glasheen, Corporation Counsel

RESOLUTION PLACING A TEMPORARY MORATORIUM ON THE CONVEYANCE OF CITY-OWNED SURPLUS REAL ESTATE PARCELS

WHEREAS, the City of Troy (“City”) acquires title to real estate parcels each year through its In Rem Tax Foreclosure Proceeding; and

WHEREAS, these parcel are deemed to be surplus property and the City seeks to transfer ownership of such acquired real estate parcels to interested parties for valuable consideration; and

WHEREAS, the City has established procedures to govern the sale of such surplus real estate parcels and such procedures are set forth in the Troy City Code, Chapter 83, § 83 – 1 through 83-8; and

WHEREAS, the procedure seeks to achieve various goals deemed to be of benefit to the City and its citizens; and

WHEREAS, the City Council wishes to conduct a review of all policies, procedures and legislation relating to the sale of City-owned surplus real estate parcels including the utilization and improvement of right of reacquisition (reverter) clauses and release of such right of reacquisition (reverter) clauses.

NOW, THEREFORE, BE IT RESOLVED , that the City Council will institute a temporary moratorium on the conveyance of City-owned surplus real estate parcels for a period of 90 days in order to provide the City Council with an opportunity to conduct the aforesaid review; and

BE IT FURTHER RESOLVED, that the aforesaid temporary moratorium will not apply to the following; (i) surplus property sales that were approved by the City Council at its meeting held on July 7, 2016; (ii) eligible reconveyances from the Foreclosure Proceedings concluded by the recording of the Deed in Foreclosure recorded at the Rensselaer County Clerk’s Office on July 20, 2016, and (iii) conveyances to the Troy Community Land Bank.

Approved as to form, July 29, 2016

Kevin P. Glasheen, Corporation Counsel

RESOLUTION APPOINTING CATE MCLOUGHLIN PERRY AS CITY AUDITOR FOR THE CITY OF TROY

WHEREAS, § C – 8 of the Troy City Charter provides that there shall be a City Auditor who shall be head of the Bureau of Audits and Accounts; and

WHEREAS, § C - 8 provides that the City Auditor shall be appointed by the City Council; and

WHEREAS, the City Council requested the firm of Cusack & Company to conduct a review of the City Auditor position and duties; and

WHEREAS, Cusack & Company conducted such a review and concluded that a part-time position requiring approximately 20 hours of work was sufficient to perform the duties of the City Auditor; and

WHEREAS, Cusack & Company have prepared a memo with a job description, minimum qualifications and proposed salary range for the City Auditor position; and

WHEREAS, Cate McLoughlin Perry has applied for the City Auditor position and has the necessary qualifications for the position.

NOW, THEREFORE, BE IT RESOLVED, that Cate McLoughlin Perry is appointed City Auditor by the City Council to perform the duties of that position at a salary not to exceed \$17,500.

BE IT FURTHER RESOLVED, that since Ms. McLoughlin Perry's spouse is a City employee working in the Department of Public Utilities ("DPU"), DPU related vouchers will be audited by the City Clerk to avoid any appearance of a conflict of interest.

Approved as to form July 29, 2016

Kevin Glasheen Esq., Corporation Counsel

Memo In Support

Per Article III Section C-8 of the Troy City Charter there shall be a City Auditor who is appointed by, and is directly responsible to, the City Council.

In 2015 the City Auditor position was vacant for part of the year and, consequently, during that period there were no checks and balances from the legislative branch. The City Auditor position is budgeted for \$50,000 plus \$26,535 in health and retirement benefits.

In January 2016, the City Council, recognizing the city's financial difficulties and future deficit, implemented a two phased approach for the auditor's position:

- 1) The council immediately appointed the City Clerk as Acting Auditor with no additional salary saving tens of thousands of dollars.
- 2) The independent auditor, hired by the City Council to develop a Corrective Action Plan, analyzed the position to determine the duties, costs, and future of the auditor's position.

After several meetings and interviews, Cusack & Company, the City Council's independent auditor, determined that the Auditor does not warrant a full time position and drafted the attach job description.

Therefore, the City Council appoints Cate McLoughlin Perry as City Auditor on a part time basis for 20 hours per week at a salary no more than \$17,500.

For full disclosure, since Ms. McLoughlin Perry's spouse works for the city's Department of Public Utilities (DPU), any vouchers received from the DPU will be audited by the City Clerk to avoid any appearance of a conflict of interest.

This resolution continues the City Council's commitment to save taxpayer's dollars and provide the necessary checks and balances and accountability.

CUSACK & COMPANY
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MEMBERS OF:
AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS

MEMBERS OF:
NEW YORK STATE SOCIETY OF
CERTIFIED PUBLIC ACCOUNTANTS

June 24, 2016

Ms. Carmella Mantello, President
City Council
City of Troy, New York
433 River Street
Troy, New York 12180

Dear Ms. Mantello:

As requested we have taken some time to review the City of Troy auditor's position and related duties as outlined in the job description. This review included interviewing with the City Clerk who is handling these activities in the interim and interviewing you as part of the process. Based on this analysis we do not feel a full time position is warranted and have drafted what we believe is a reasonable part time position and related market salary for the auditor who will primarily be spending what we feel is up to 20 hours weekly to audit the City's claims.

If we can provide additional assistance please do not hesitate to contact us.

Very truly yours,

CUSACK & COMPANY, CPAS LLC



James M. Cusack, CPA

City Auditor (Part Time)

The City Council is seeking applications and/or resumes for a part-time position.

The salary for this position is \$17,500

The position involves:

Being appointed and directly responsible to the City Council for an indefinite term of office. The position will require having charge and custody of all needed fiscal records in order to preaudit all city orders for materials and supplies, certifying to the legality of all such orders and designating the fund appropriation to which each purchase shall be charged. The position will require the performance of such other accounting or auditing functions as directed by the City Council.

Minimum Qualifications:

At the time of the appointment, the City Auditor shall have had a minimum of three (3) years of combined experience in auditing, accounting or fiscal management, with appropriate training and education.

Please forward applications and/or resumes to:

Council President Mantello
City of Troy, Troy City Council
433 River Street
Troy, New York, 12180

Or email to: carmella.mantello@troyny.gov.

Any questions should be directed to Council President Mantello at (518) 279-7317

shall be the authority to establish the positions of Legislative Assistant, Legislative Counsel or Counsels, and consultants for special services to the Council, provided compensation for said services has been approved by the Council. Nothing herein shall be construed to authorize the Council to establish a position or prescribe duties of a Legislative employee that would usurp the powers and duties given to the Executive Branch under this Charter.

Article II. City Clerk

§ C-6. Qualifications, powers and duties

The City Clerk shall be a resident elector of the City, and be selected by the City Council at its organizational meeting to hold office until the next organizational meeting unless sooner removed by a vote of two-thirds of the members of the Council. The Clerk shall attend all meetings of the Council, keep a detailed journal of Council proceedings, and discharge such other duties as may be prescribed by law or ordinance. The Clerk shall be a commissioner of deeds and shall have custody of the City Seal. The Clerk may appoint deputies and assistants to hold office at the Clerk's pleasure, with the approval of the City Council.

§ C-7. City Clerk to give bond

The City Clerk, before exercising any of the powers or discharging any of the duties of the office, shall execute a bond to the City in such sum as the City Council may direct by ordinance, and with such sureties as the Council may approve, conditioned for the faithful performance of the duties of the office, and that the Clerk may properly apply and account for all public money and all public property received. Such bond may be a blanket bond covering all those employees of the City who are required to be bonded, whichever the Council may decide. Such bond shall be filed in the office of the Clerk of the County of Rensselaer and recorded at length in a book kept for the purpose of recording the bonds of City officers.

Article III. City Auditor

§ C-8. Qualifications and duties

There shall be a City Auditor who shall be head of the Bureau of Audits and Accounts. The City Auditor shall be appointed by, and be directly responsible to, the Council for an indefinite term of office. At the time of appointment, the City Auditor shall have had a minimum of three (3) years of combined experience in auditing, accounting or fiscal management, with appropriate training and education. The City Auditor shall have charge and custody of all fiscal records of the City; shall pre-audit all City orders for materials and supplies, certifying to the legality of all such orders and designating the fund or appropriation to which each purchase shall be charged, and shall perform such other accounting or auditing functions as directed by the Council.

Article IV. Standing and Special Committees

§ C-9. Standing committees

There shall be standing committees of the City Council on finance, general services, law, planning and economic development, public safety, public utilities, and science and technology.

The Committee on Finance shall consist of the President as Chair and all other Council members. Each of the other committees shall consist of at least three Council members, one of whom shall be designated Chair by the committee. Committee members shall be nominated by the President and confirmed or rejected by a majority of the members of the Council at each organizational meeting. Each committee shall, if possible, have at least one member from a minority political party. If an original nominee of the President is rejected by the Council, the President shall immediately submit to the Council a list of three nominees in the place of the original nominee, who shall not be renominated by the President. The Council shall select, at the said organizational meeting, from each list so submitted, one Council member to serve as committee member in place of the rejected nominee. Only Council members shall have the right to vote as members of standing committees. All committee reports shall be made public.

§ C-10. Responsibilities of standing committees

- A. Finance. The standing Committee on Finance shall periodically review and report on the budget, audits and accounts, the Bureau of Assessments, and the Bureau of Purchases. Membership on this Committee shall include the

**RESOLUTION CONFIRMING THE APPOINTMENT OF STEVEN STRICHMAN AS
COMMISSIONER OF PLANNING AND ECONOMIC DEVELOPMENT**

WHEREAS, the Troy City Charter, § C – 56, provides that there may be a Commissioner of Planning and Economic Development; and

WHEREAS, Mayor Madden has appointed Steven Strichman to the position of Commissioner of Planning and Economic Development; and

WHEREAS, the Mayor's appointment of Mr. Strichman has been duly made and writing and filed in the office of the City Clerk; and

WHEREAS, Mr. Strichman appeared before the City Council Finance Committee on July 20, 2016; and

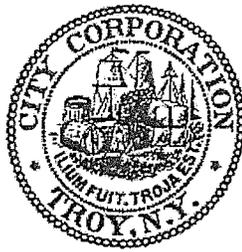
WHEREAS, based upon his education, experience and professional qualifications, Mr. Strichman appears to the City Council to be well-qualified for the position of Commissioner of Planning and Economic Development.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby confirm the Mayor's appointment of Steven Strichman to the position of Commissioner of Planning and Economic Development.

Approved as to form July 29, 2016

Kevin Glasheen Esq., Corporation Counsel

Received
MAY 20 2016
Troy City Clerks
Office



Hon. Wm. Patrick Madden

Office of the Mayor
433 River Street, Suite 5001
Troy, NY 12180

(518) 279-7130
mayorsoffice@troyny.gov

Ms. Patti O'Brien
Troy City Clerk
City Hall
433 River Street
Troy, N.Y. 12180

May 20, 2016

Re: Permanent Appointment – Steven E. Strichman

Dear Ms. O'Brien:

Pursuant to Sections C – 50 & 51 of the Troy City Charter, I hereby appoint Steven Strichman to the position of Commissioner of Planning and Community Development in my administration on a permanent basis commencing June 13, 2016. I respectfully request the Troy City Council to confirm this appointment as soon as possible. I thank you for your assistance in this matter.

Very truly yours,

Wm. Patrick Madden, Mayor

cc: Carmella Mantello, Troy City Council President

