

**TROY CITY COUNCIL
FINANCE MEETING AGENDA
Wednesday, April 20, 2016
6:00 pm**

Pledge of Allegiance
Roll Call

Per Troy City Charter Section 45-3, Comptroller To Provide Quarterly Report. (Council President Mantello)

LOCAL LAW

1. Local Law No. 1 (Intro #1) 2016 For Enacting An Amendment To Section C-70 (M) Of The Troy City Charter. (Council President Mantello)

ORDINANCES

27. Ordinance Amending The 2016 City Budget To Accept Funds From The New York State Office Of Parks, Recreation And Historical Preservation For The Troy Urban Park. (Council President Mantello) (At the Request of the Administration)

28. Ordinance Declaring Certain City Owned Property As Surplus And Directing The Comptroller To Dispose Of Said Property. (Council President Mantello) (At the Request of the Administration)

29. Ordinance Amending The 2016 Special Revenue Budget To Appropriate A "New York State Homeland Security Grant As Per Fy15 State Law Enforcement Terrorism Prevention Program . (Council President Mantello) (At the Request of the Administration)

30. Ordinance Establishing A 2016 Capital Project To Accept Funds From The State And Municipal Facilities Program For The Rehabilitation Of Powers Park. (Council President Mantello) (At the Request of the Administration)

32. Ordinance Amending The City Of Troy 2016 Fire Department Budget For The Purpose Of Various Funds To Be Received From New York State Homeland Security Grant Funds For Expenditures Related To The Technical Rescue And Urban Search And Rescue Grant Program. (Council President Mantello) (At the Request of the Administration)

34. Ordinance Amending The 2016 City Budget To Transfer Funds Within The General Fund Budget. (Council President Mantello) (At the Request of the Administration)

35. Ordinance Approving Settlement Of Tax Certiorari Proceedings Instituted By First Niagara Bank On The Assessment Roll Of The City Of Troy. (Council President Mantello) (At the Request of the Administration)

36. Ordinance Authorizing The Appropriation From The City Of Troy Water Fund Balance And Amending The 2016 Capital Fund Budget For The Purpose Of Funding The 2016 Department Of Public Utilities Five Year Capital Plan

RESOLUTIONS

43. Resolution Appointing Commissioners Of Deeds For The City Of Troy. (Council President Mantello)

44. A Resolution Authorizing The Implementation, And Funding In The First Instance 100% Of The Federal-Aid Eligible Costs, Of Homeland Security And Emergency Services And The Appropriating Of Said Funds. (Council President Mantello) (At the Request of the Administration)

LOCAL LAW NO. 1 (INTRO #1) 2016 FOR ENACTING AN AMENDMENT TO SECTION C-70 (M) OF THE TROY CITY CHARTER.

BE IT ENACTED, by the City Council of the City of Troy, as follows:

SECTION 1: §70 (M) of the Troy City Charter shall be amended.

SECTION 2: § 70 (M) of the City Charter, as amended, shall provide the following:

M. Transfer of funds. The City Council shall approve any transfers or appropriations of \$500 or more not specifically authorized in the budget. Upon written request of the Mayor and any department, division or bureau head, the City Council may approve the transfer of an unencumbered balance in an appropriation from any department, division or bureau to another department, division or bureau. For purposes of this section, a transfer shall include any shift of funds from one account to another, whether or not the funds are to be returned to the original account. Any transfer of funds from the water fund or sewer fund to any other department, division, bureau, or the general fund shall require a two thirds vote of the City Council. Additionally, any such legislation shall not be acted upon it shall be the subject of at least one public hearing by the council upon five days of public notice.

SECTION 3: Pursuant to § C-37 of the Troy City Charter, a Local Law amending the Charter shall not be acted upon by the City Council until it shall have been the subject of at least three public hearings after introduction unless such requirement is waived by a resolution of the Council adopted by a unanimous vote.

SECTION 4: The three public hearings required by § C-37 shall be scheduled as follows: Wednesday, April 20th, 2016 at 5:30 p.m.; Thursday, April 28th, 2016 at 6:00p.m. and Thursday, May 5th, 2016 at 6:00 p.m.

SECTION 5: This act shall be effective immediately.

Approved as to form, March 17, 2016

Kevin P. Glasheen, Corporation Counsel

Memo in Support

Over three fiscal years, 2012-2014, the water fund was depleted by \$6,416,000 to cover up deficits in the general fund. These deficits were caused by improper budgeting practices. These raids on the water fund took necessary money from the fund that could and should have been used for capital improvements to the city's water system.

This legislation is intended to help stop the raiding of the water fund and to preserve and protect our very important water system. This legislation will require that before any money is transferred out of the water or sewer fund a public hearing will be required. This will end the secretive method of which transfers in the past were made out of the water and sewer fund with very little public awareness.

Additionally, this legislation requires a two-thirds vote of the city council to transfer money out of the water and sewer fund. This will make it more difficult to transfer these monies and deplete our water and sewer funds.

**ORDINANCE AMENDING THE 2016 CITY BUDGET TO ACCEPT FUNDS FROM
THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORICAL
PRESERVATION FOR THE TROY URBAN PARK**

The City of Troy convened; in City Council, ordains as follows:

Section 1. The City of Troy is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or Recreational Trails Program), in the amount not to exceed \$ 48,480.00, and enter into and execute a project agreement with the State for such financial assistance to the City of Troy for the Troy Urban Park and if appropriate, a conservation/preservation covenant to deed of the assisted property.

Section 2. The City of Troy 2016 budget is herein amended as set forth in Schedule A entitled:

Environmental Protection Fund Municipal Grant Program

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 11, 2016

Kevin Glasheen, Corporation Counsel

MEMO IN SUPPORT

Title: Ordinance amending the 2016 Operating Budget to accept funds from the Office of Parks, Recreation and Historical Preservation for the purpose of providing funding for the Troy Urban Trail.

Summary of Provisions: The City of Troy will receive 48,480 in grant monies from the New York Office Parks, Recreation and Historic Preservation for the purpose of developing documents to be utilized for Troy Urban Parks.

Present Law: N/A

Overall Budget Fiscal Impact: A 10% local match will be required for this grant which will consist of in-kind services by the City of Troy and its co-partners.

SCHEDULE A

2016 General Fund Budget Amendment Environmental Protection Fund Municipal Grant Program

	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
Revenue - A510			
A.7000.3889.0091			
Other Culture and Recreational Grants			
_NYS Office of Parks, Recr and Historical			
Preservation	\$0.00	\$48,480.00	\$48,480.00
Total Revenue Increase		<u><u>\$48,480.00</u></u>	
Expenditures - A960			
A8020.0409.0000			
Planning Department _ Consultant Svces			
Troy Urban Trail Grant	\$0.00	\$48,480.00	\$48,480.00
Total Expenditures Increase		<u><u>\$48,480.00</u></u>	

* or as previously revised



NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

ROSE HARVEY
Commissioner

ANDREW M. CUOMO
Governor

December 10, 2015

Ms. Monica Kurzejeski
Economic Development Coordinator
City of Troy
433 River Street, Suite 5000
Troy, NY 12180

Dear Ms. Kurzejeski:

In 2011, Governor Cuomo launched the Regional Economic Development Councils and the Consolidated Funding Application (CFA) to provide each region with the tools to create and implement their own roadmap for economic prosperity and job creation. This community-based model uses local assets to drive local economic growth and has resulted in unprecedented partnerships and collaboration that are building a reinvigorated economy.

After four successful rounds, the 2015 CFA made \$750 million in economic development resources available from over thirty programs across thirteen state agencies. The agency programs provide resources for projects focused on community development and job creation, tourism, waterfront revitalization, energy and environmental improvements, sustainability, and low-cost financing.

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is proud to have contributed \$16,000,000 to this year's Consolidated Funding Application. I am pleased to inform you that a matching grant of \$48,480.00 has been reserved from the Environmental Protection Fund Municipal Grant program for the Troy Urban Trails.

Our agency will contact you to clarify specifics about the project, including next steps, disbursement terms, minority- and women-owned business hiring goals, employment requirements, environmental and historic preservation review requirements, and other terms and conditions. I urge you to work closely with our program staff and not to begin work on your project until appropriate contract conditions have been satisfied.

If you applied for funding from other OPRHP programs or other State agencies, you will receive information from those programs/agencies separately.

We look forward to working in partnership with you to expeditiously advance your project.

Congratulations,

Rose Harvey
Commissioner

**ORDINANCE DECLARING CERTAIN CITY OWNED PROPERTY AS SURPLUS
AND DIRECTING THE COMPTROLLER TO DISPOSE OF SAID PROPERTY**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Pursuant to C-73 (A) of the City Charter, the item of City owned property, described in the attached memorandum is herein declared to be surplus and the City Purchasing Agent or a designee, is hereby authorized and directed to sell all said property.

Section 2. The said property shall be sold "as is" for the highest bid price and on such additional terms and conditions as shall be set by the City Comptroller.

Section 3. If no bidder or bidders are interested in any or all of said property, the City Comptroller is hereby authorized to dispose of any such item.

Section 4. This ordinance shall take effect immediately.

Approved as to form, April 14, 2016

Kevin P. Glasheen, Corporation Counsel



ORD # 28
Support

Inter-Office Memorandum

To: Patti O'Brien, City Clerk

From: Kathy Kussler, Purchasing Agent

Subject: Dental Inventory

Date: April 12, 2016

Per our conversation regarding the dental equipment that the City of Troy is paying Arnoff Moving and Storage to store, I wanted to give you a timeline of the events leading up to the move. It has been quite a lengthy process:

On September 3, 2015 the City of Troy foreclosed on 205 5th Ave in Lansingburgh. The property had been a dental office for many years prior. The last dentist to occupy the property left every bit of the practice behind when he closed the doors. All the furniture, equipment, and miscellaneous items were left untouched for 3 years, until the City took possession.

After conferring with several City Department Heads, any items that were usable throughout the City were delivered to many different departments. Chairs and a fax machine went to the Assessor's Office, file cabinets to the City Clerk and Mayor, and an assortment of office furniture went to the Police Department. The remaining items were of no use to the City whatsoever.

At that point it was decided to check into the value, if any, of the items left. The City Assessor contacted Atlas Resell Management and they gave a quote for a consignment buy-out of \$4,485.00 for 14 items. The remainder would most likely be disposed of. Atlas Resell is based in Idaho, so they contacted a local dealer James Corkran to ship the items. However, James decided he would like to purchase the items as well and consign them locally. The City Assessor approached the City Comptroller and they decided to have the items all deemed surplus property by the City Council in order to facilitate a sale or consignment. The City Comptroller prepared legislation for the November Finance Meeting and subsequent December Council meeting to declare the items surplus. However, the City Council refused to declare the equipment surplus without a complete inventory, and tabled the legislation on 12/3/15.

In the meantime, the new owner wished to close on the property quickly as it needed to be secured and heated for the upcoming winter. On 11/20/15, the closing took place with a signed agreement between her and the City Attorney that the equipment would be left untouched until the proper arrangements for removal could be made.

On December 16, 2015 I met with Randy Passonno from Collar City Auctions. The Comptroller's Office wanted his expert opinion that the equipment would be worth auctioning. Randy thought there would be some

value to the equipment, so we decided to proceed. The Comptroller's Office released a Request for Proposal for Auctioneer Services, and Collar City Auctions was the only company to respond. Randy would take all the items to his warehouse, do a complete inventory, and hold the auction. It was recommended that Randy be awarded the contract.

Also on December 16, 2015 we met with John Gebhart from Schapp Moving and Storage. John would charge \$1,990.00 to box and move the items, and the monthly storage fee would be \$300.00. They could not give us a concrete moving date until late January so we decided to get another quote from Arnoff Moving and Storage. We met with Todd Stromberg on January 8, 2016. They could complete the move the following Wednesday, and the charge would be \$1,920.00 with the first month's storage included. Each additional month would be \$100.00.

Wednesday, January 13, 2016 the movers from Arnoff bagged, boxed, and loaded the items from the property and delivered them to their warehouse in Albany for safe storage. That is where the items are today.

The Comptroller's Office respectfully requests the City Clerk's Office review this document and the attached pictures with the Council President. The City cannot remove the items from storage and deliver them to the Auctioneer until the property is deemed surplus. The previous Council did not want to declare surplus without a full inventory being done. Unfortunately, the Purchasing Agent and the movers were not dental equipment experts, and could only compile a very preliminary inventory. However, we do have the original quote from Atlas Resell that listed the items he was going to consign, which represents some of the bigger ticket items. As you can see from the pictures, there is much more to be sorted through that may be of value.

Time is off the essence in this matter as we are still paying \$100.00 per month to Arnoff for storage. This charge will diminish the profits we stand to make once the items are set up for auction. Once the items are delivered to the Auctioneer he will have a full inventory done, and will make that information readily available to the City Comptroller and the City Council. Randy has done many auctions for the City in the past, as is always very professional. I have the utmost confidence that he will deliver

If there is anything else you need regarding this matter, or need further explanation on anything, please let me know.

Sharon.Martin

From: Cyrus Lyons <c.lyons@atlasfrontiers.com>
Sent: Tuesday, September 29, 2015 4:37 PM
To: Sharon.Martin
Subject: Re: Atlas Resell Management

Hey Sharon,

Here is your appraisal for the equipment we'd be interested in. Unfortunately we won't be able to take the chairs/cabinetry/exam lights, so I did not add them to the appraisal. After you've looked it over please give me a call to discuss.

Thank you,

Cyrus D. Lyons

CONFIDENTIAL - Sharon Martin

Notice: ATLAS RESELL MANAGEMENT

- * All assets are appraised at current market value.
- * This is based on historical sales records taken from actual sales records.
- * When historical sales were not available, discounted asking prices were used.
- * Asset condition, functionality, quantity, accessories and location may cause values to vary.
- * Appraisal contains only a sample of items inventoried.

Item	Manufacturer	Model	Quantity	High Market	Low Market	Commission %	Notes	Buyout	Consignment
Air Abrasion Chamber	-	--	1	\$100.00	\$50.00				\$35.00
Cavity Detection Unit	Kavo	Diagnodent	2	\$1,200.00	\$800.00				\$500.00
Air Abrasion Unit	Danville Engineering	PrepStart	1	\$1,200.00	\$800.00				\$550.00
Lab Motor/Handpiece	--	--	1	\$150.00	\$100.00				\$25.00
Apex Locator	Jmorita	RootZX 2	1	\$400.00	\$300.00				\$200.00
Cavitron	Dentsply	Prophy Jet Gen-121	1	\$800.00	\$600.00				\$400.00
Cavitron	Dentsply	CaviJet 3000 Gen-112	1	\$300.00	\$150.00				\$125.00

Handpiece Lubricator	Kavo	Quatrocare	1	\$800.00	\$500.00	\$350.00
Sterilizer	Midmark	M11	1	\$3,000.00	\$2,400.00	\$1,500.00
Ultrasonic Bath	Coltene Whaledent	Biosonic UC100XD	1	\$300.00	\$200.00	\$125.00
Vacuum Former	--	--	1	\$200.00	\$100.00	\$50.00
Model Trimmer	Handler	--	1	\$100.00	\$50.00	\$25.00
Vacuum System	Midmark	Classic Series CV6R	1	\$1,200.00	\$800.00	\$550.00
Amalgam Separator	HG5	--	1	\$200.00	\$100.00	\$50.00
			Total	\$9,950.00	\$6,950.00	\$4,485.00

On 9/29/2015 11:15 AM, Sharon.Martin wrote:

Great, thanks!

-----Original Message-----

From: Cyrus Lyons [mailto:c.lyons@atlasfrontiers.com]
 Sent: Tuesday, September 29, 2015 1:16 PM
 To: Sharon.Martin
 Subject: Re: Atlas Resell Management

Hey Sharon,

I did receive all of the photos and started your appraisal yesterday. I should have it finished by the end of the day and will send it right over.

Thank you,

Cyrus D. Lyons

On 9/28/2015 9:51 AM, Sharon.Martin wrote:

Hi Cyrus,

I sent you 38 photos this morning from my cell phone. Hopefully you received all of them.

Thank you,
 Sharon Martin

-----Original Message-----

From: Cyrus Lyons [mailto:c.lyons@atlasfrontiers.com]
 Sent: Tuesday, September 22, 2015 1:13 PM
 To: Sharon.Martin
 Subject: Atlas Resell Management

Hello Sharon,

Inventory of Auction Items from 205 5th Ave

Dental Chairs	4 ea
Chair Mounted Trays and Lights	3 ea
Wall Mounted X-Ray	1 ea
Orthopantomograph (Panoramic X-Ray)	1 ea
Chair Mounted X-Ray Machine	3 ea
Air Abrasion Chamber	1 ea
Air Abrasion Unit	1 ea
Cavity Detection Unit	2 ea
Lab Motor / Handpiece	1 ea
Apex Locator	1 ea
Cavitron -121	1 ea
Cavitron - 3000	1 ea
Handpiece / Lubricator	1 ea
Sterilizer	1 ea
Ultrasonic Bath	1 ea
Vacuum Former	1 ea
Model Trimmer	1 ea
Vacuum System	1 ea
Amalgum Separator	1 ea
MidMark UltraClave	1 ea
X-Ray Viewers	3 ea
Rolling Chair	2 ea
Printer Stands	3 ea
File Folder Holders	4 ea
Cotton Rolls	3 cases
Tray Covers	2 cases
Nitrile Gloves	1 box
Crest / Colgate Small Toothpaste Tubes	4 cases
Supply Containers	3 ea
Plant Stand	1 ea
X-Ray Vest	2 ea
Misc. Supplies	
Cotton Balls	
Acu-Gel Syringe	
Invis-align (partial Trays)	
AccuTray Systems	
Mirrors	
Trays	
Binders	
Invoices and other Paperwork	

**ORDINANCE AMENDING THE 2016 SPECIAL REVENUE BUDGET TO
APPROPRIATE A NEW YORK STATE HOMELAND SECURITY GRANT AS
PER FY15 STATE LAW ENFORCEMENT TERRORISM PREVENTION
PROGRAM**

The City of Troy, convened in City Council, ordains as follows:

Section 1. The City of Troy 2016 Special Revenue Budget is herein amended as set forth in Schedule A entitled:

“Public Safety – Police
State Law Enforcement Terrorism Prevention Program FY 2015

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, April 15, 2016

Kevin, Glasheen, Corporation Counsel

**MEMORANDUM OF SUPPORT FOR AMENDING
THE 2016 SPECIAL REVENUE BUDGET**

Title: Ordinance amending the 2016 Special Revenue Budget with regards to appropriating funds to be received from a NY State Homeland Security as per FY15 State Law Enforcement Terrorism Prevention Program

Effect on Present Law: None

Purpose: The purpose and goal of the State Law Enforce Prevention Program is to provide the City with certain equipment and travel/training for the purpose to help protect its citizens, its critical infrastructure, its key resources and to be able to respond to and recover from terrorist attacks.

Fiscal Impact: None - 100% Reimbursable.

Council Committee: Public Safety/Finance

SCHEDULE A
City of Troy 2016 Special Revenue Budget Amendment

Public Safety - Police
NY State Homeland Security Grant
FY15 State Law Enforcement Terrorism Prevention Program

	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
<u>Special Revenue Fund</u>			
Revenue - CD510			
CD3000-3305-8000-8336			
NYS Homeland Security/Contract C175252	\$ -	\$ 100,000	\$ 100,000
Total Revenue Increase		<u><u>\$ 100,000</u></u>	
Expenditures - CD960			
CD2016-0203-8000-8336			
Equipment Purchase	\$ -	\$ 92,750	\$ 92,750
CD2016-0411-8000-8336			
Travel/Training	\$ -	<u>\$ 7,250</u>	\$ 7,250
Total Expenditures Increase		<u><u>\$ 100,000</u></u>	

* or as previously revised

STATE AGENCY New York State Division of Homeland Security and Emergency Services 1220 Washington Avenue Building 7A Suite 710 Albany, NY 12242	NYS COMPTROLLER'S NUMBER: C175252 (Contract Number) ORIGINATING AGENCY CODE: 01077
GRANTEE/CONTRACTOR:(Name & Address) Troy, City of 1 Monument Square Troy NY 12180	TYPE OF PROGRAMS: WM2015 SLETPP CFDA NUMBER: 97.067 DHSES NUMBERS: WM15175252
FEDERAL TAX IDENTIFICATION NO: 14-6002472 MUNICIPALITY NO: (if applicable) 380257000 000 SFS VENDER NO: 1000002394 DUN & BRADSTREET NO: 086955077	INITIAL CONTRACT PERIOD: FROM 09/01/2015 TO 08/31/2018 FUNDING AMOUNT FOR INITIAL PERIOD: \$100,000.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable)
CHARITIES REGISTRATION NUMBER: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> (Enter number or Exempt) If Exempt is entered above, reason for exemption. <div style="border: 1px solid black; padding: 2px;"> Contractor has _____ has not _____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports. </div>	APPENDIX ATTACHED AND PART OF THIS AGREEMENT APPENDIX A Standard Clauses required by the Attorney General for all State contracts <input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses <input checked="" type="checkbox"/> APPENDIX B Budget <input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule <input checked="" type="checkbox"/> APPENDIX D Program Workplan and Special Conditions APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) <input type="checkbox"/> DHSES-55 Budget Amendment/Grant Extension Request <input type="checkbox"/> Other - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion _____ _____
IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.	
NYS Division of Homeland Security and Emergency Services BY: Michele Wahrlich , Director of Grants Program Administration Date: 08/18/2015 State Agency Certification: In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract. GRANTEE: BY: Mr. Louis Rosamilia Mayor Date: 08/17/2015	
ATTORNEY GENERAL'S SIGNATURE _____ Title: _____ Date: _____	COMPTROLLER'S SIGNATURE _____ Title: _____ Date: _____

Award Contract

Project No.

Grantee Name

LETPP/SLETPP

LE15-1023-D00

Troy, City of

08/18/2015

Appendix B - Project Budget

Budget Summary by Participant

Troy, City of Troy City Police Department - Version 1

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	P25 handheld radios with accessories	06CP-01-PORT	1	\$43,000.00	\$43,000.00	\$43,000.00	\$0.00
2	P25 mobile radios with accessories	06CP-01-MOBL	1	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00
3	SCBA, CBRN	01AR-01-SCBA	1	\$12,750.00	\$12,750.00	\$12,750.00	\$0.00
4	Bag/Box, Ensemble Gear Storage	01ZP-00-GBAG	1	\$500.00	\$500.00	\$500.00	\$0.00
5	Systems, Video Assessment, Security *Requires Prior Approval of EHP if not mobile/portable*	14SW-01-VIDA	1	\$21,500.00	\$21,500.00	\$21,500.00	\$0.00
Total					\$92,750.00	\$92,750.00	\$0.00

#	Travel and Subsistence	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Travel and registration costs for CI/KR conference/training	1	\$3,400.00	\$3,400.00	\$3,400.00	\$0.00
2	Travel and registration costs for Communications conference/ training	1	\$3,850.00	\$3,850.00	\$3,850.00	\$0.00
Total				\$7,250.00	\$7,250.00	\$0.00

Troy City Police Department Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$100,000.00	\$100,000.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$100,000.00	\$100,000.00	\$0.00

**ORDINANCE ESTABLISHING A 2016 CAPITAL PROJECT TO ACCEPT FUNDS
FROM THE STATE AND MUNICIPAL FACILITIES PROGRAM FOR THE
REHABILITATION OF POWERS PARK**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The City of Troy is hereby authorized and directed to accept funds in accordance with the Grant from the State and Municipal Facilities Program for financial assistance to the City of Troy for the rehabilitation of Powers Park.

Section 2. The City of Troy 2016 Capital Fund is herein amended as set forth in Schedule A entitled:

Powers Park Rehabilitation

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 15, 2016

Kevin Glasheen, Corporation Counsel

MEMO IN SUPPORT

Title: Ordinance establishing a Capital Project to accept funds from the State and Municipal Facilities Program, for the purpose of providing funding for the rehabilitation of Powers Park

Summary of Provisions: The City of Troy will receive \$ 449,000.00 in grant monies from State and Municipal Facilities Program

Present Law: N/A

Fiscal Impact: None - 100% Reimbursable.

Council Committee: Recreation/Finance

ORD # 30

SCHEDULE A
2016 Capital Fund Budget Amendment
Powers Park Rehabilitation

Capital Fund

	<u>Original*</u> <u>Budget</u>	<u>CHANGE</u>	<u>Revised</u> <u>Budget</u>
Revenue H510			
H.7000.3897.0617			
State Aid _ Culture and Recr Capital Project	\$0.00	\$ 449,000.00	\$449,000.00
Total Revenue	<u>\$0.00</u>	<u>\$ 449,000.00</u>	<u>\$449,000.00</u>
Expenditures H960			
H7110.0203.0617			
Powers Park Rehabilitation	<u>\$0.00</u>	<u>\$ 449,000.00</u>	<u>\$449,000.00</u>

*** Footnote: Or As Previously Amended**

ORO #30



DASNY

ANDREW M. CUOMO
Governor

ALFONSO L. CARNEY, JR.
Chair

GERRARD P. BUSHELL
President

February 1, 2016

Ms. Monica Kurzjeski
Economic Development Coordinator
City of Troy
433 River Street, Suite 50000
Troy, NY 12180

*Re: State and Municipal Facilities Program ("SAM")
Rehabilitation of Powers Park
Project ID: #7251*

Dear Ms. Kurzjeski:

As you know, the City of Troy has been approved by the State to receive a State and Municipal Facilities Program ("SAM") grant for the above-referenced project in the amount of \$449,000 (the "Grant"). DASNY will be administering this Grant.

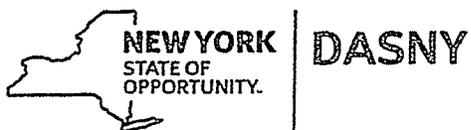
Enclosed you will find the "Project Information Sheet" for your SAM Grant. Please complete the four (4) sections in the attached Project Information Sheet, as well as sign and date the Project Information Sheet certifying that the information you provided to DASNY is true and correct. Even if some of the information has been submitted to other parties previously, the enclosed Project Information Sheet and attachments must be provided to DASNY. Please mail the signed original as well as the backup documentation and information, as soon as possible, to:

DASNY
Attn: Grants Administration
515 Broadway
Albany, New York 12207

For your convenience, a sample return letter is attached to assist you when assembling the Package to return to DASNY.

Once DASNY receives the Project Information Sheet, a Grant Administrator may contact you to set up a conference call between DASNY and the City of Troy to discuss the project and how we will proceed.

CORPORATE HEADQUARTERS 515 Broadway Albany, NY 12207-2964 T 518-257-3000 F 518-257-3100	NEW YORK CITY OFFICE One Penn Plaza, 52nd Floor New York, NY 10119-0098 T 212-273-5000 F 212-273-5121	BUFFALO OFFICE 539 Franklin Street Buffalo, NY 14202-1109 T 716-884-9780 F 716-884-9787	DORMITORY AUTHORITY STATE OF NEW YORK WE FINANCE, BUILD AND DELIVER. www.dasny.org
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In the meantime, please review the enclosed list of **Frequently Asked Questions**. This list was designed to answer many of the questions that you may have about the Grant process. **Please keep this document to use as a reference during the administration of the Grant.**

Should you have any questions concerning the enclosed documentation, please call (518) 257-3177 and someone from Grants Administration will contact you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Sarah D. Antonacci', is positioned above a horizontal dashed line that spans the width of the page.

Sarah D. Antonacci
Senior Grant Administrator

Enc.

cc (w/out enc.): Adrian Swierczewski, NYS Division of the Budget
Elyse Griffin, NYS Division of the Budget
Sara Richards, Esq., DASNY

**ORDINANCE AMENDING THE CITY OF TROY 2016 FIRE DEPARTMENT
BUDGET FOR THE PURPOSE OF VARIOUS FUNDS TO BE RECEIVED
FROM NEW YORK STATE HOMELAND SECURITY GRANT FUNDS FOR
EXPENDITURES RELATED TO THE TECHNICAL RESCUE AND URBAN
SEARCH AND RESCUE GRANT PROGRAM**

The City of Troy, convened in City Council, ordains as follows:

Section 1. The City of Troy 2016 General Fund Budget is herein amended as set forth in Schedule A entitled:

“Public Safety – Fire

New York State Homeland Security Grant

Which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, April 15th, 2016

Kevin Glasheen, Corporation Counsel

**MEMORANDUM OF SUPPORT FOR AMENDING
THE 2016 GENERAL FUND BUDGET**

Title: Ordinance amending the 2016 General Fund Budget for the purpose of appropriation fund in the amount of \$149,856 that will be received from “New York State Homeland Security Grant “

Effect on Present Law: None

Purpose: To develop a regional technical rescue and urban search response team.

Fiscal Impact: None - 100% Reimbursable.

Council Committee: Public Safety_ Fire / Finance

SCHEDULE A
City of Troy 2016 Budget Amendment

Public Safety - Fire

New York State Homeland Security Grant
Technical Recue and Urban Search and Rescue

2016 Budget Amendment

<u>General Fund</u>	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
Expenditures - A960			
Public Safety Fire Overtime A3410-0103-0105	\$0	\$75,000	\$75,000
Equipment Other A3410-0203-0105	\$0	\$67,764	\$67,764
Materials and Supplies A3410-0303-0105	\$0	\$7,092	\$7,092
Total Expenditures Increase		<u><u>\$149,856</u></u>	
Revenue - A510			
Federal Funds _ Homeland Security A3000-4305-0043	\$0	\$149,856	\$149,856
Total Revenue Increase		<u><u>\$149,856</u></u>	

Footnote

a) 100% Reimbursable

* or as previously revised

ORD # 32



Homeland Security
and Emergency Services

ANDREW M. CUOMO
Governor

JOHN P. MELVILLE
Commissioner

December 7, 2015

The Honorable Louis Rosamilia
Mayor
City of Troy
Troy City Hall
433 River Street
Troy NY, 12180

Dear Mayor Rosamilia:

I am pleased to announce that the NYS Division of Homeland Security and Emergency Services (DHSES) is awarding the City of Troy Fire Department \$149,856 in federal funding under the FY2015 Technical Rescue & Urban Search and Rescue (USAR) Grant Program. Funding for this initiative is provided by the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP). The performance period for this award is December 7, 2015 through August 31, 2018.

As outlined in your application, this funding is provided for local emergency response teams that provide technical rescue and USAR related services through equipment, training, exercise, and planning projects. All funding is subject to both New York State and federal guidelines and regulations.

All capabilities developed through Federal FY2015 SHSP funding are required to be deployable regionally and nationally per the Federal Notice of Funding Opportunity.

A representative from DHSES's Grants Program Administration Unit will be reaching out to your grant point of contact shortly. If you have any questions about this program, please contact Jacqueline Lake at (518) 242-5137.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Melville".

John P. Melville
Commissioner

cc: Deputy Chief Eric McMahon, Troy Fire Department

Award Contract

SHSP

Project No.

Grantee Name

TR15-1006-E00

Troy, City of

12/30/2015

Appendix B - Project BudgetBudget Summary by Participant

Troy, City of Troy Fire Department - Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Collapse Awareness Training	8	\$400.00	\$3,200.00	\$3,200.00	\$0.00
2	Structural Collapse Training	4	\$16,800.00	\$67,200.00	\$67,200.00	\$0.00
3	Full Scale Exercise	1	\$3,000.00	\$3,000.00	\$3,000.00	\$0.00
4	Incident Command Training for Structural Collapse Incidents	2	\$800.00	\$1,600.00	\$1,600.00	\$0.00
Total				\$75,000.00	\$75,000.00	\$0.00

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Transit Level Kit, 22X, 200 ft	03SR-02-MARK	1	\$582.00	\$582.00	\$582.00	\$0.00
2	Electrical Drilling tools	03SR-02-TPEL	2	\$669.00	\$1,338.00	\$1,338.00	\$0.00
3	Concrete breaking electric tools	03SR-02-TPEL	2	\$5,800.00	\$11,600.00	\$11,600.00	\$0.00
4	Air Compressor	03SR-01-COMP	2	\$302.00	\$604.00	\$604.00	\$0.00
5	Electrical cutting tools	03SR-02-TPEL	2	\$2,377.00	\$4,754.00	\$4,754.00	\$0.00
6	Hand tools	03SR-02-TLHN	12	\$126.00	\$1,512.00	\$1,512.00	\$0.00
7	Concrete cutting electric tools	03SR-02-TPEL	2	\$3,500.00	\$7,000.00	\$7,000.00	\$0.00
8	Concrete rebar cutting electric tools	03SR-02-TPEL	2	\$3,900.00	\$7,800.00	\$7,800.00	\$0.00
9	Slings and Hoists	03SR-02-TRIG	2	\$7,800.00	\$15,600.00	\$15,600.00	\$0.00
10	Structural Stabilization / Heavy Rescue Strut System	03SR-01-SHOR	1	\$11,610.00	\$11,610.00	\$11,610.00	\$0.00
11	Concrete drilling tools	03SR-02-TPEL	2	\$1,000.00	\$2,000.00	\$2,000.00	\$0.00
12	Concrete breaking pneumatic tools	03SR-01-TLPN	2	\$4,700.00	\$9,400.00	\$9,400.00	\$0.00
13	Pneumatic Framing Tools including Pneumatic and Manual Fasteners	03SR-01-TLPN	2	\$528.00	\$1,056.00	\$1,056.00	\$0.00
Total				\$74,856.00	\$74,856.00	\$0.00	

Troy Fire Department Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$149,856.00	\$149,856.00	\$0.00

Albany City Fire Department Rensselaer County Bureau of Public Safety Albany County Saratoga County Office of Emergency Services

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$149,856.00	\$149,856.00	\$0.00

**ORDINANCE AMENDING THE 2016 CITY BUDGET TO TRANSFER FUNDS
WITHIN THE GENERAL FUND BUDGET**

The City of Troy, convened in City Council, ordains as follows:

Section 1. The City of Troy 2016 GENERAL FUND budgets is herein amended and set forth in Schedule A entitled:

May 2016 General Fund Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form April 15th, 2016

Kevin Glasheen, Corporation Counsel

MEMO IN SUPPORT

Title: Ordinance amending the 2016 General Fund Budget appropriations.

Summary of Provisions: This legislation is being initiated by the Administration and will transfer funds from certain accounts to other accounts where the original budget allocations now appear to be insufficient.

Present Law: N/A

Purpose: The administration begins the process of building a budget the summer before the budget is due. The administration files the budget on October 1st and the City Council passes the budget in December. The several hundred expense categories contained in the 2016 budget are estimates of those expenses made in 2015 for 2016.

It is now deemed that certain allocations need to be increased to cover unanticipated expenses. Other budget lines will be adjusted to compensate for these increases.

Overall Budget Fiscal Impact: None.

AD 4/3/16

SCHEDULE A
General Fund Transfer
May 2016 Budget Transfers

General Fund	Original * <u>Budget</u>	<u>Change</u>	Revised <u>Budget</u>
Recreation _ Other Materials and Supplies A.7150.0303.0000	\$28,160.00	(\$10,000.00)	\$18,160.00
Recreation _ Other Materials and Supplies Golf Course A.7150.0303.2420	\$72,600.00	\$10,000.00	\$82,600.00 a)
City Svces Administration _ Salaries A.1490.0101.0000	\$221,333.00	(\$10,000.00)	\$211,333.00 b)
Mayor _ Employee Incentive Prog A.1210.0409.0091	\$0.00	\$10,000.00	\$10,000.00 c)
Net Change		<u>\$0.00</u>	

* or as previously revised
JAM

Footnote

- a) Material and Supplies for Fear Park Golf Course
- b) Vacant Position
- b) To reinstitute the Employee Incentive Program as per the CSEA contract (Article XVIII)

**ORDINANCE APPROVING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS
INSTITUTED BY FIRST NIAGARA BANK ON THE ASSESSMENT ROLL OF THE CITY OF
TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The Corporation Counsel of the City of Troy is hereby authorized to compromise and settle the tax certiorari proceedings instituted by the following taxpayer as provided in a certain stipulation on file with the office of the Corporation Counsel:

PROPERTY OWNER	PARCEL NO.	ADDRESS
First Niagara Bank	101.53-8-13/1	32 Second Street
	101.53-7-12.2	14 First Street
	101.53-13-1	42-48 Second Street

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulations for the settlement of the proceedings and the Orders based on said stipulations shall authorize the City Treasurer of the City of Troy to revise the 2011 – 2014 assessment roll to reflect such changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulations and Orders, said tax rolls shall be adjusted accordingly and the necessary refunds will be made to the property owner, if applicable.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, April 15, 2016

Kevin P. Glasheen, Corporation Counsel

MEMORANDUM IN SUPPORT

TAXPAYER: First Niagara Bank
 PROPERTY 32 Second Street (Parcel No. 101.53-8-13./1)
 14 First Street (Parcel No. 101.53-7-12.2)
 42-48 Second Street (Parcel No. 101.53-13-1)
 ATTORNEY: Robert Jacobson, Esq., Rochester

This is the former office and branch bank of First Niagara Bank located next to the Troy Savings Bank Music Hall. The three properties consist of a 14,250 square foot bank branch and office which is set back from 2nd Street and which also includes 10,496 square feet of basement area used for storage and mechanicals (Parcel No. 101.53-8-13./1); a .30 acre parcel with 30 parking spaces and a small security booth (Parcel No. 101.53-13-1) and a small parcel that is being discontinued (Parcel No. 101.53-7-12.2).

The First Niagara property is a condominium unit in a "condominium" that includes the Troy Music Hall. Under the terms of the condominium plan, the owner of the First Niagara parcel must also pay for the upkeep of the Troy Music Hall structure which presents a significant financial burden for the property.

Prior to the 2013 revaluation, this building had a market value of \$3.13 million in 2011 and 3.08 million in 2012 based upon the assessed value and then applicable equalization rate. In the revaluation process, the market value for the property was reduced by GAR to 1.58 million which then became the new assessed value. Both prior to and at the time of the GAR valuation the building was fully occupied by First Niagara and the 2013 valuation reflected that fact. Unfortunately, subsequent to the revaluation, First Niagara vacated the premises leaving the property vacant with no rental income. Although the property was subsequently marketed and listed, it sparked little market interest due to significant asbestos issues in the basement, limited parking and the associated financial burden of paying for upkeep of the Troy Music Hall. There was one offer of \$350,000 on the building that was withdrawn due to concerns regarding remediation costs associated with the building. There have been no other purchase offers on the building and the building remains vacant to date. At one point in the settlement negotiations, the Court had suggested that perhaps the City could take over the ownership of the building. Given the remediation problems and the associated financial burden of the maintenance of the Troy Music Hall, the City declined that proposal. First Niagara remains responsible for the upkeep of the Troy Music Hall which run approximately \$150,000 per year.

The assessments for the properties for the years at issue are as follows:

	Parcel	Address	Assessed Value	Market Value
2011	101.53-8-13./1	32 Second Street	\$432,140	\$3,131,449
	101.53-7-12.2	14 First Street	\$7,090	\$51,377

	101.53-13-1	42-48 Second Street	\$64,560	\$467,826
2012	101.53-8-13./1	32 Second Street	\$432,140	\$3,086,714
	101.53-7-12.2	14 First Street	\$7,090	\$50,643
	101.53-13-1	42-48 Second Street	\$64,560	\$461,143
2013	101.53-8-13./1	32 Second Street	\$1,580,000	\$1,580,000
	101.53-7-12.2	14 First Street	\$4,500	\$4,500
	101.53-13-1	42-48 Second Street	\$215,000	\$215,000
2014	101.53-8-13./1	32 Second Street	\$1,580,000	\$1,580,000
	101.53-7-12.2	14 First Street	\$4,500	\$4,500
	101.53-13-1	42-48 Second Street	\$215,000	\$215,000

In light of the unfavorable market developments, the Assessor reduced the assessment to \$350,000 in 2015.

During the pendency of these proceedings, the parties have been negotiating. In January 2013, First Niagara's attorney agreed to a settlement in which the assessed value would be set at \$750,000. He then backed out of the agreement, claiming that he had mistaken "assessed value" for "market value"

There is a trial scheduled for July 27, 2016 in this matter. First Niagara has filed an appraisal report by appraiser Christopher Harland based upon both a sales comparison and income capitalization approach that supports a value of \$570,000 for 2011, and \$340,000 for the remaining years. Because First Niagara claimed a higher value in the first two years of the litigation (\$1,043,816 and \$1,028,907 for first two years for office building), they are bound by those values as the minimum that they can settle at which was helpful to the City.

After protracted negotiations, First Niagara has agreed to a settlement in which it would waive the first year's refund from the City of Troy and statutory interest for all years. The values would be set as follows.

The following shows the refund liability under the settlement.

Year	Combined Original Market Value	Combined Settlement Market Value	Combined Assessed Value	Total Refund (with interest)	City refund
2011	\$3,599,275	\$1,199,758	\$165,567	\$97,072	\$25,193 - waived
2012	\$3,547,857	\$1,182,622	\$165,567	\$98,317	\$25,696
2013	\$1,795,000	\$340,000	\$340,000	\$60,335	\$16,063
2014	\$1,795,000	\$340,000	\$340,000	\$61,754	\$16,733
				\$317,477	\$58,492

By settling under this proposal, the City would save about \$33,000 (\$25,193 first year refund; \$6,208 in interest; \$1,900 in costs and disbursements that would be awarded by statute following trial).

**ORDINANCE AUTHORIZING THE APPROPRIATION FROM THE CITY OF
TROY WATER FUND BALANCE AND AMENDING THE 2016 CAPITAL FUND
BUDGET FOR THE PURPOSE OF FUNDING THE 2016 DEPARTMENT OF
PUBLIC UTILITIES FIVE YEAR CAPITAL PLAN**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2016 CAPITAL FUND BUDGET is herein amended as set forth in Schedule A entitled:

2016 Water Fund Capital Plan

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 14th, 2016

Kevin Glasheen, Corporation Counsel

MEMO IN SUPPORT

Title: Ordinance authorizing the appropriation from the City of Troy Water Department fund balance and amending the 2016 Capital Fund Budget for the purpose of funding the 2016 Department of Public Utilities Capital Plan.

Summary of Provisions: This legislation will authorize the appropriation from the Water Department Fund balance for the purpose of funding various expenses necessary for the 2016 Phase of the Department of Public Utilities five year Capital Plan.

Present Law: N/A

Overall Budget Fiscal Impact: To appropriate funds from the Water Fund Balance and to transfer such funds to the 2016 Capital Fund Budget account entitled 2016 Water Fund Capital Plan.

Schedule A

Department of Public Utilities Capital Plan 2016 Budget Amendment

Department	Account No.	Description	Budget*	(+ / -)	Budget
Water Fund - Expenditures F960					
Inter Fund Transfers	F.9950.0900.000	Transfer to Capital Fund	\$0.00	<u>1,880,000</u>	\$1,880,000
		Total Expenditure Increase		<u><u>1,880,000</u></u>	
Water Fund - Appropriated Fund Balance F599					
Fund Balance	F1000-8018-0000	Appropriated Fund Balance	\$0.00	\$1,880,000	\$1,880,000
		Total Increase		<u><u>\$1,880,000</u></u>	
Capital Fund Expenditures H960					
2016 Water Plant Capital Program Project #0618					
Wtr Transportation	H.8340.0303.0618	36 Water Main Material Purchase	\$0.00	\$1,400,000	\$1,400,000
Wtr Central Garage	H.1640.0202.0618	Vehicles	\$0.00	\$480,000	\$480,000
		Total Expenditures Increase		<u><u>\$1,880,000</u></u>	
Capital Fund Revenue H510					
Inter Fund Transfers	H.0000.5031.0618	Inter Fund Transfer From Water Fund	\$0.00	\$1,880,000.00	\$1,880,000.00
		Total Revenue Increase		<u><u>\$1,880,000.00</u></u>	

* or as previously amended

THE CITY OF TROY



INTER-OFFICE MEMORANDUM

To: Patrick Madden, Mayor

From: Chris Wheland, Superintendent of Public Utilities

Subject: 2016 Capital Plan

Date: April 11, 2016

The Capital Plan for 2016 has been adjusted since the proposed plan in August of 2015. There are five categories in the Capital Plan for the Department. Below is an explanation of the plan and the need for the adjustment.

Transmission Main Improvement Program:

Due to a large water main break in January 2016 it is required to replace approximately 3,700 feet of 33" line with 36" line. This will increase volume of flow and allow for alternative service locations for wholesale customers. The project has been submitted to New York State Environmental Facilities Corporation (EFC) for financing. A Grant has also been submitted that would allow up to 80% of the cost to be funded.

In order to complete the project by the end of December 2016 as stated in multiple timelines it is required to purchase material before any funding is available. Due to the timeframe of bidding, awarding and lead times on material it needs to be ordered before EFC funding is available. I purpose using the water fund to initially purchase the materials. Once funding is available the water fund can be reimbursed for these costs. Materials including pipe, valves, and fittings are anticipated to cost 1.4 million dollars.

Dam Safety Program:

The Department of Environmental Conservation (DEC) has developed regulations regarding high hazard dams, to which the Tomhannock Dam, Wright Dam and Bradley Lake Dam are included in this. The Tomhannock Dam has recently been reconstructed to meet new guidelines. A new low level outlet is required, and anticipated to be included in the construction of the new transmission mains. Bradley and Wright Lake Dam also require work, the bulk of this work will be evaluation and investigation, and a more extensive construction phase will be developed for 2016- 2017.

Water Treatment Plant and Facilities Upgrade:

Over the past few years there have been many upgrades to the Water Treatment Plant (WTP). We have been working on replacing the sludge draw equipment that is original to the plant with new non metallic equipment that won't rust and or rot while in the water and need a total of eight sets to complete the upgrade. We have also replaced the roofs on

the administration and chemical feed room along with the fuel filling station at the DPU Shop. This included replacement of a bulk gas and diesel tank. As part of this project contamination was found from an old 5,000 gallon #6 Fuel oil tank and 500 gallon waste oil tank. These tanks have been removed and the contamination is now removed.

The proposed plan for 2016 is to finish projects ongoing from 2014. At Eddy Lane Pump Station a new chemical containment area for Hypo Chlorite will be constructed and an emissions filter will be installed on the diesel powered generator. The water plant will finish an upgrade to the SCADA system.

Vehicles:

In the past few years DPU has made many vehicle purchases. The original 2016 capital plan included two pickup trucks. The revised plan includes one dump truck, pipe inspection equipment and a vehicle for the mechanics with lift gate and utility box. As part of a required Asset Management Plan by the Department of Environmental Conservation, inspection equipment needs to be acquired by June 1, 2016. The proposed inspection equipment can satisfy this requirement and save the city costs of hiring an outside company for inspections.

Water System Improvements and GIS:

Due to the nature of the DPU business and the increasing requirements for safer drinking water, many water quality concerns are coming forefront in the department. These include the many contaminants that are required to be removed from the water and the control of the byproducts from treatment (THM's). It is an ever growing process to handle the requirements and necessary studies and treatment techniques to control byproducts. These studies are ongoing and will help develop the water system into the future to meet the standards and rules as set forth by the Department of Health.

At this time, through testing it is determined that water quality is satisfactory and we are moving forward with testing and evaluation of recoating the four water tanks that DPU owns and operates. Once the evaluation is complete we are expected to move on with coating in 2017-2018.

Conclusion:

The Department of Public Utilities has many ongoing and future projects that are required for many different reasons, regulatory, updating and continued service to the residents. Through these projects and efficient use of the water fund, the department will continue to supply safe reliable drinking water. 2016 is heavily focused on the 36" water line replacement, vehicle purchasing and completing outstanding projects from years past.

A 2016 projects cost was discussed with the Acting Comptroller and it was stated that the water fund had the available funds to cover such purchases.

Should you have any questions please contact me.

Capital Improvements 5 Year Schedule

Department of Public Utilities

25 Water Plant Road, Troy, NY 12182

April 8, 2016

Proposed

Project	2016	2017	2018	2019	2020	Total Cost
Transmission Main Improvement Program	\$ 1,400,000					\$ 1,400,000
	36" Water Main Materials Purchase	Transmission Main Replacement	Transmission Main Replacement	Transmission Main Replacement	Transmission Main Replacement	
Dam Safety Program	\$ 750,000			\$ 70,000		\$ 820,000
	Bradley and Wright Lake Construction			Continuation of Dam work, and evaluation		
WTP and Facilities Upgrades	\$ 65,000	\$ 250,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 2,315,000
	Air Compressor and Refrigerileter Upgrade or Decommissioning	Steam Boiler Replacement	Basin Concrete Replacement	Basin Concrete Replacement	Basin Concrete Replacement	
Vehicles and Equipment	\$ 480,000	\$ 80,000	\$ 80,000			\$ 640,000
	1 Dump Truck, Pipe Inspection Equipment, 2 Utility Trucks, 1 Mechanics Truck	2 Trucks	2 Box Vans			
Water System Improvements, GIS	\$ 1,100,000	\$ 1,000,000	\$ 800,000		\$ 70,000	\$ 1,970,000
	Tank Coating Testing and Evaluation	Water Storage Tank Painting	Continuation of Water Storage Tank Painting		Water Tank Aeration	
Total Per Year	\$ 1,880,000	\$ 1,995,000	\$ 1,200,000	\$ 1,070,000	\$ 1,070,000	\$ 7,145,000

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS FOR THE CITY OF TROY

BE IT RESOLVED, that the City Council hereby appoints the following person, as identified in the attached applications hereto and made a part hereof, Commissioners of Deeds for the City of Troy for a two-year term,

Christopher Kehn- 05/05/16-05/05/18
9 Chelton Ave
Troy, New York 12180

Kimberly McPherson-05/05/16-05/05/18
355 6th Avenue
North Troy, New York 12182

Approved as to form, April 11, 2016

Kevin P. Glasheen, Corporation Counsel

A RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID ELIGIBLE COSTS, OF HOMELAND SECURITY AND EMERGENCY SERVICES AND THE APPROPRIATING OF SAID FUNDS

WHEREAS, a Project Seawall Stabilization along the Hudson River within the City of Troy (FEMA_4085-0011 ie Project") is eligible for funding under the Department of Homeland Security's Federal Emergency Management Agency , that calls for the apportionment of the costs of such program to be at 100% Federal funds, and

WHEREAS, the City of Troy desires to advance the Project; and

WHEREAS, FEMA previously made a commitment of \$ 1,327,000 of the federal funds for Phase I of said project; and

WHEREAS, FEMA is making an additional commitment of \$ 12,871,850 of federal funds for Phase II of said project; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City Council hereby authorizes the City of Troy to pay in the first instance 100% of the federal share of Phase I; and it is further

RESOLVED, that the sum of \$12,871,850 has been appropriated from Capital Project H.8745.0206.0612 entitled Seawall Stabilization and made available to cover the cost of participation in the above phase of the Project; as per attached SCHEDULE "A"; and it is further

RESOLVED, that the Mayor of the City of Troy be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the City of Troy_ with the US Department of Homeland Security Federal Emergency Management Agency Sandy Recovery Office in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, this Resolution shall take effect immediately.

Approved to form April 15th 2016

Kevin Glasheen, Corporation Counsel

Res # 44

SCHEDULE A
Capital Fund Budget Amendment
Seawall Stabilization

Capital Fund

	<u>Original</u> <u>Budget</u>	<u>CHANGE</u>	<u>Revised</u> <u>Budget</u>
Revenue H510			
H.7000.4960.0612 Emergency Disaster Assistance	\$1,327,000.00	\$ 12,871,850.00	\$14,198,850.00
Total Revenue	<u>\$1,327,000.00</u>	<u>\$ 12,871,850.00</u>	<u>\$14,198,850.00</u>
Expenditures H960			
H8745.0203.0612 Seawall Stabilization - Phase I Engineering and Design	\$1,327,000.00	\$0.00	\$1,327,000.00
H8745.0203.0612 Seawall Stabilization - Phase II Construction	\$0.00	\$12,871,850.00	\$12,871,850.00
Total Expenditures	<u>\$1,327,000.00</u>	<u>\$12,871,850.00</u>	<u>\$14,198,850.00</u>

Res # 44

Contract: C000714
Attachment: Appendix X - 1
(Phase II Approval)

U.S. Department of Homeland Security
Federal Emergency Management Agency
Sandy Recovery Office
118-35 Queens Blvd.
Forest Hills, NY 11375



FEMA

February 25, 2016

Andrew X. Feeney
Alternate Governor's Authorized Representative
New York State Division of Homeland Security & Emergency Services
1220 Washington Avenue - Building 7A, Floor 4
Albany, New York 12242

Re: FEMA-4085-DR-NY/HMGP Project # 4085-0011
City of Troy/ FIPS Code: 083-75484-00 (Subgrantee)
Seawall Stabilization
HMGP Phase II Approval

Dear Mr. Feeney:

This letter advises that the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) has reviewed and approves Phase II of the City of Troy's (Subgrantee) Hazard Mitigation Grant Program (HMGP) Application for Project # 4085-0011 (Project). The Phase II revisions made to the Scope of Work, Funding, and Work Schedule are authorized in order to accomplish Phase II Construction and Improvement Activities.

The Total Estimated Project Costs are not to exceed the revised amount of \$14,198,850 for both Phase I & Phase II of the Project. FEMA is now authorizing the remaining funding in an amount not to exceed \$12,871,850 Federal share at 100% under Global Match of the Phase II anticipated costs of construction. FEMA previously awarded \$1,327,000 Federal share at 100% under Global Match for the Phase I Project costs.

The Project location, existing conditions, and proposed scope of work are described below, along with the funding details, grant management requirements, and conditions of Approval. The New York State Division of Homeland Security and Emergency Services (NYS DHSES or Grantee) has primary responsibility for management of the Project and accountability of funds, as set forth in Title 44 of the Code of Federal Regulations (44 C.F.R.), Part 206, Subpart N and 44 C.F.R. Part 13.

I. Project Details

The Project's Scope of Work provides for the upgrade 7,750 linear feet of bulkhead wall. This upgrade will protect and mitigate the wall from potential breaches, will help to maintain the

structural integrity, and protect adjacent structures. Currently, the bulkhead wall is in poor condition. It exhibits varying degrees of deterioration; damage due to ice flows, high velocity flooding and damage from the impact of debris traveling downstream. The condition and age of the mass-concrete portions indicate that the life expectancy of the exposed and unprotected concrete has exceeded its useful life. The loss of significant sections has diminished the structural integrity of the bulkhead wall and continued deterioration will further decrease the factors-of-safety for resistance to sliding and overturning. The bulkhead wall must be protected for the future social and economic welfare of the City of Troy.

II. Project Funding and Grant Management Requirements

Funding for this sub-grant will be provided as follows:

Award Increment	Budget Cost Classification	Federal Share Awarded	Local Matching Share	Total Funding
Phase I	Preliminary Expense (Application Development)	\$127,000	\$0	\$127,000
	Engineering Designs & Analysis	\$800,000	\$0	\$800,000
	Permits, Fees & Surveys, (as applicable)	\$150,000	\$0	\$150,000
	Hydrologic and Hydraulics Analysis	\$250,000	\$0	\$250,000
	Phase I Sub Totals	\$1,327,000	\$0	\$1,327,000
Phase II	Engineering (final for bid)	\$223,555	\$0	\$223,555
	Permitting	\$28,458	\$0	\$28,458
	Construction and Project Improvements	\$12,569,837	\$0	\$12,569,837
	Debris Removal	\$40,000	\$0	\$40,000
	Project Inspection	\$10,000	\$0	\$10,000
	Phase II Sub Totals	\$12,871,850	\$0	\$12,871,850
	Total Estimated Project Cost	\$14,198,850	\$0	\$14,198,850

Grant agreement articles of the FEMA-State Agreement govern this HMGP sub-grant, which incorporates the grant management requirements set forth in the 44 C.F.R. In accordance with 44 C.F.R. § 13.30(d), prior approval by FEMA is required for any revision to the scope or objectives of the Project, or extension to the Period of Performance. Any such request must be submitted to FEMA Region II, Mitigation Division, Sandy Grants Branch¹, prior to

¹ This office remains at 118-35 Queens Blvd, Forest Hills, NY 11375 until March 15th 2016 at which time it will be located at One World Trade Center, 53rd Floor, New York, NY 10048.

implementation of the revision. Any change that does not receive prior approval from the NY SRO will violate the conditions of this sub-grant.

III. Phase II Conditions of Approval

Approval is contingent upon fulfillment of all of the following:

1. Project Completion Deadline

Based upon the information provided within the application, a Project completion deadline of February 25, 2019 has been established. The Project completion date includes sufficient time for NYS DHSES and the City of Troy to conclude its administrative contract requirements and considers potential delays resulting from weather conditions, and other unforeseen circumstances.

In order for the City of Troy to request an extension of the Period of Performance, NYS DHSES must submit a formal written request to the FEMA Regional Administrator. The request must be made no later than sixty (60) days prior to the expiration of the period of performance and must include a justification for the extension. This justification must demonstrate that construction work is in progress. Other information required with this request includes: a revised budget information form (regardless of whether there are changes to the budget), percentage of work completed and a description of all work completed.

2. Reporting Requirements

The Grantee is required to submit quarterly financial and performance reports within thirty (30) days after the end of each quarter in accordance with 44 C.F.R. § 13.40, 13.41, and 206.438(c). These reports should reflect the status and completion date for the Project. Any problems or circumstances affecting the completion date, scope of work, project cost, or which could be expected to result in noncompliance with the approved grant conditions are to be described in the quarterly progress reports. Requests for additional Project time extensions will only be considered in instances where the Subgrantee has provided the Grantee with accurate quarterly status reports.

3. Reimbursement of Allowable Costs

Once funding has been obligated, the Grantee is to submit a claim to the FEMA Region II, Mitigation Division, Sandy Grants Branch for reimbursement of allowable costs prior to drawing down those funds in accordance with 44 C.F.R. § 206.438(d). These submitted claims must also certify that reported costs were incurred in the performance of eligible work, that the approved scope of work was completed, and that the mitigation measure complies with the provisions of the FEMA-State Agreement.

4. Project Closeout

Upon completion of the Project, the Grantee must ensure that the sub-grant has been completed in compliance with the approved scope of work and with all required environmental conditions and all Hazard Mitigation Unified Assistance (HMA), National Flood Insurance Program (NFIP), and HMGP Guidance.

5. Other Regulatory Requirements

As part of the Approval, the Subgrantee is required to adhere to all applicable Federal laws, regulations, and policies

6. Technical Feasibility and Cost-effectiveness

The Phase I deliverables and responses to inquiries demonstrate that the project is technically feasible and cost-effective in accordance with the requirements of HMA Guidance, Part VIII, Additional Program Guidance: A.9 Phased Projects. Upon becoming aware of any changes to the planned work, changes in budget or schedule, or other federally-funded planned work which may overlap in planned work, the Grantee will promptly notify FEMA in order for FEMA to determine whether additional review is required to assure the project remains technically feasible and cost effective.

7. Environmental Requirement

a. Archaeology

If, during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the Subgrantee shall stop work immediately in the vicinity of the discovery and notify the FEMA Region II, Mitigation Division, Sandy Grants Branch within 24 hours. The Subgrantee will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. In addition, if unmarked graves are present, the Subgrantee shall notify the local law enforcement agency within 24 hours of the discovery and the FEMA Region II, Mitigation Division, Sandy Grants Branch within 72 hours. Work in the vicinity of any discovery will not resume until the FEMA Region II, Mitigation Division, Sandy Grants Branch has completed consultation with State Historical Preservation Office, Tribes, and other consulting parties as necessary.

b. Permitting Requirement

The City of Troy shall obtain all federal, state, and/or local permits that are required. Prior to commencement of construction, the City of Troy must submit a copy of all permit applications and permits received to NYS DHSES. Permit applications and permits are to be reviewed and maintained by NYS DHSES to ensure compliance with the Project's approved scope of work. NYS DHSES is to provide copies of all permit applications and permits to FEMA Region II, Mitigation Division, Sandy Grants Branch prior to the City of Troy

initiating construction. Failure of the Subgrantee to obtain the required permits associated with the approved scope of work violates the condition of this project approval. This could result in a determination that no Federal funding is eligible to be reimbursed for this Project.

Note: Prior to the start of ground disturbing work, the City of Troy should have initiated permitting with the US Army Corp of Engineers (USACE), the New York State Department of Environmental Conservation (NYS DEC), the local floodplain administrator, and other permitting agencies with jurisdiction over the proposed Project. Should the City of Troy be advised of any problems or issues that have any bearing on the proposed design, they shall immediately notify NYS DHSES and FEMA Region II, Mitigation Division, Sandy Grants Branch.

c. Record of Environmental Consideration

A copy of FEMA's Record of Environmental Consideration (REC) is included, this summarizes the results of the environmental review, and outlines all the requirements and conditions of environmental and historic preservation compliance.

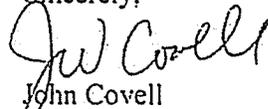
IV. Conclusion

Once the project is completed, the Subgrantee shall perform all necessary maintenance and annual inspections to ensure the structural stability of the project. Maintenance and inspections shall be documented and maintained by the Subgrantee, since this documentation would be essential in determining the eligibility of federal funding for any future damages occurring at the site.

FEMA urges your office to meet with this Subgrantee to review the Project requirements as soon as possible. At this meeting, please establish a follow-up schedule of Project monitoring including quarterly performance reporting and fiscal documentation requirements. Copies of all contracts entered into for this Project need to be provided to, and maintained by NYS DHSES. We are available to assist both NYS DHSES and the City of Troy in the implementation of this Project.

Should additional information be required, please contact Luis Avila, Sandy Grants Branch Chief, FEMA Region II at 202-285-9387.

Sincerely,



John Covell
New York Sandy Recovery Office - Director

cc: Mr. Michael Moriarty, Mitigation Division Director, FEMA Region II
Mr. Richard Lord, State Hazard Mitigation Officer

