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**REGULAR MEETING
CITY COUNCIL
NOVEMBER 6, 2003**

ROLL CALL:

MR. WOJCIK, MR. JUDGE, MR. FOY, MR. DORAN, MR. LAPOSTA, MR. TUTUNJIAN, MR. ARMET, MRS. WELCOME, MRS. COLLIER

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

ORDINANCE NO. 1

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER WELCOME

**ORDINANCE AMENDING THE 2003 CITY BUDGET TO AUTHORIZE THE TRANSFER OF FUNDS
TO MODIFY APPROPRIATIONS AND INCREASE REVENUES**

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

Section 1. The 2003 City Budget is hereby amended to provide for the transfer of funds as provided in Schedule "A" entitled

Comprehensive Interim Budget Amendment

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, October 16, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 1 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 2

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER FOY

**ORDINANCE AMENDING THE CITY'S CAPITAL PLAN TO AUTHORIZE THE TRANSFER OF
UNNEEDED FUNDS FROM SPECIFIED CAPITAL PROJECTS TO CREATE A NEW CAPITAL
PROJECT FUND SUPPORTING THE PURCHASE OF SOFTWARE NECESSARY TO COMPLY WITH
THE STATE COMPTROLLER'S FINANCIAL REPORTING REQUIREMENTS.**

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

Section 1. The City's Capital Plan is hereby amended by creating a new capital fund project to support the purchase of a fixed asset module necessary to comply with GASB34 and by providing for the transfer of unneeded funds from the named capital project funds into the newly created capital fund project as provided in Schedule "A" entitled

Capital Fund 2003 Budget Transfer
Technology
Fixed Assets

which is attached hereto and made a part hereof

Section 2. This act will take place immediately.

Approved as to form, October 16, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 2 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

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ORDINANCE NO. 3

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

MOTION TO AMEND BY: COUNCIL MEMBER COLLIER

SECONDED BY: COUNCIL MEMBER FOY

AMENDED ORDINANCE RECOGNIZING AND APPROPRIATING NEW YORK STATE MULTI-MODAL FUNDING FOR DOWNTOWN PARKING LOT RESURFACING, STREET IMPROVEMENTS AND SIGNAGE

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

Section 1. A capital project account is herein established to receive revenue from the New York State Multi-modal program and make appropriations to support a program to improve downtown parking facilities, including lot re-surfacing, street improvements, parking meters and signage, as set forth in the attached Schedule A entitled:

Capital Fund 2003 Budget Amendment
Downtown Improvements

Section 2. The Mayor, on behalf of the City of Troy, is herein authorized and directed to execute whatever grant and/or contract documents are necessary to receive the grant award.

Section 3. The Mayor is herein authorized and directed to comply with the provisions of the City's procurement policy in soliciting contracts for goods and services, including professional services, to support the project referenced herein. After complying with the provisions of the City's procurement policy, the Mayor, upon Council approval, is herein authorized and directed to sign any and all contracts necessary to complete the project referenced herein, but only if the city's financial obligations under said contracts are consistent with the appropriations herein made.

Section 4. This act shall take effect immediately.

Approved as to form, November 7, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 3 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 4 – REFERRED TO PUBLIC HEARING

ORDINANCE NO. 5

INTRODUCED BY: COUNCIL MEMBER ARMET

SECONDED BY: COUNCIL MEMBER JUDGE

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS FOR THE REMOVAL, STORAGE AND DISPOSAL OF MOTOR VEHICLES

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

Section 1. The Mayor is hereby authorized to execute contracts in a form substantially similar to that attached hereto and made a part hereof, entitled:

AN AGREEMENT FOR THE REMOVAL/STORAGE
AND DISPOSAL OF MOTOR VEHICLES

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, October 16, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 1 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

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ORDINANCE NO. 6

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER FOY

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

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

Section 1. Pursuant to Section 5.50 of the City Charter, the items of City owned property listed on the attached Schedule A are herein declared to be surplus and the City Purchasing Agent or a designee, is hereby authorized and directed to sell all said property at public auction to the highest bidder or bidders.

Section 2. The said auctioned 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. Said auction shall be held at a date and time to be set by the City Comptroller.

Approved as to form, October 8, 2003
Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 6 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 7a

INTRODUCED BY: COUNCIL MEMBER WOJCIK

SECONDED BY: COUNCIL MEMBER COLLIER

**ORDINANCE APPROVING SETTLEMENT OF CERTIORARI PROCEEDINGS INSTITUTED BY
VARIOUS PROPERTY OWNERS LOCATED IN THE CITY OF TROY AND 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 certiorari proceedings instituted by the following taxpayers as provided in certain stipulations on file with the office of the Corporation Council:

Diamond Spring Water

80.28-3-1

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 prepare new tax bills in the proper form based on the above referenced assessments and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for years involved to reflect said 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 respective property owners.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, October 16, 2003
Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 7a PASSED – AYES 7 NOES 2 (Noes: Foy & Tutunjian)

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

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ORDINANCE NO. 7B

INTRODUCED BY: COUNCIL MEMBER WOJCIK

SECONDED BY: COUNCIL MEMBER COLLIER

**ORDINANCE APPROVING SETTLEMENT OF CERTIORARI PROCEEDING INSTITUTED BY A
PROPERTY OWNER LOCATED IN THE CITY OF TROY AND ON THE ASSESSMENT ROLL OF
THE CITY OF TROY**

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

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

Aleksander Ostrogorsky

101.53-9-11

Section 2. The Corporation Counsel of the City of Troy is hereby authorized to execute the necessary stipulation for the settlement of the proceeding and the order based on said stipulation and shall authorize the City Treasurer of the City of Troy to prepare a new tax bill in the proper form based on the above referenced assessment and shall further authorize the Department of Finance and the City of Troy to revise the assessment roll for the years involved to reflect said changes.

Section 3. Upon receipt by the City Treasurer and the City Comptroller of the executed Stipulation and Order said tax roll shall be adjusted accordingly and the necessary refund will be made to the respective property owner.

Section 4. This Ordinance shall take effect immediately.

Approved as to form, October 6, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 7b PASSED – AYES 6 NOES 3 (Noes: Foy, Judge & Tutunjian)

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 8

INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & JUDGE

SECONDED BY: COUNCIL MEMBER FOY

**ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RENSSELAER
COUNTY FOR “WEED AND SEED” FUNDS (Strike Force)**

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

Section 1. The Mayor, on behalf of the City of Troy, is herein authorized to execute an agreement with Rensselaer County, in substantially the form of the attached, to receive reimbursement from the “Weed & Seed” program for up to \$20,000 in expenses the City incurs in hiring temporary youth workers for the City’s Strike Force program.

Section 2. This act shall take effect immediately.

Approved as to form, October 8, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 8 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

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ORDINANCE NO. 9

INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN & JUDGE

SECONDED BY: COUNCIL MEMBER FOY

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RENSSELAER COUNTY FOR "WEED AND SEED" FUNDS (Summer Youth Program)

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

Section 1. The Mayor, on behalf of the City of Troy, is herein authorized to execute an agreement with Rensselaer County, in substantially the form of the attached, to receive reimbursement from the "Weed & Seed" program for up to \$4,680 in expenses the City incurred in hiring temporary youth workers for the City's Alley Clean-up program.

Section 2. This act shall take effect immediately.

Approved as to form, October 8, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 9 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 10

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER JUDGE

AN ORDINANCE AUTHORIZING THE SALE OF A PORTION OF EIGHTH AVENUE TO ROSS ENTERPRISES II, LLC.

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

Section 1. The City of Troy hereby determines that the property in which the City might have some ownership interest, more particularly described in Schedule "A" annexed hereto and made a part hereof, is no longer needed for City purposes.

Section 2. The Mayor, on behalf of the City of Troy, is herein authorized and directed to execute a quit claim deed to said property to Ross Enterprises II, LLC for the sum of \$100.

Section 3. This Ordinance shall take effect immediately.

Approved as to form, October 9, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 10 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 11

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER WELCOME

ORDINANCE AUTHORIZING AND DIRECTING SALE BY THE PROPOSAL METHOD OF CITY OWNED REAL PROPERTY

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

Section 1. Pursuant to Section 25 ½-6 of the Code of Ordinances, the Bureau of Surplus Property accepted proposals on the hereinafter described property.

Section 2. The Mayor is hereby authorized and directed to sell and convey the hereinafter described real property to the following named purchaser for the sum below indicated which is hereby determined to be a fair price for the same without the necessity of competitive bidding and upon the terms and conditions set forth below.

Section 3. The purchaser, purchase price and terms and conditions of sale are as follows:

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PURCHASER: SANDRA M. VARDINE, 865 Worcester St., Niskayuna, NY 12309

PURCHASE PRICE: \$2,500.00 plus advertising cost of \$25.00

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance the purchaser shall pay the purchase price, plus advertising cost and payment in lieu of City taxes through December 31, 2004 and School taxes through June 30, 2004, and execute a contract setting forth the conditions of sale as outlined in the annexed proposal and guaranteeing performance.
- B. Upon the 1st day of January 2005, taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents, which shall be charged from the date of this conveyance.
- C. This conveyance is made subject to the condition that the structure be repaired in conformance with the building, housing and fire prevention codes within six (6) months after the date of the deed. If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.

Section 4. The said real property is described as follows:

SEE SCHEDULE "ATTACHED"

Section 5. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents, which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 6. This Ordinance shall take effect immediately.

Approved as to form, August 27, 2003
Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 11 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 12

INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN AND ARMET

SECONDED BY: COUNCIL MEMBER JUDGE

**ORDINANCE AUTHORIZING THE RECEIPT OF FEDERAL FUNDS FROM THE COPS PROGRAM
AND AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT (COPS Universal
Hiring)**

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

Section 1. The Mayor, on behalf of the City of Troy, is herein authorized to execute a grant agreement with the US Department of Justice, in substantially the form of the attached, accepting the grant award from the Office of Community Oriented Policing Services under the COPS Universal Hiring Program.

Section 2. This act will take effect immediately.

Approved as to form, October 16, 2003
Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 12 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

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ORDINANCE NO. 13

INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN AND ARMET

SECONDED BY: COUNCIL MEMBER WELCOME

**ORDINANCE AUTHORIZING THE RECEIPT OF FEDERAL FUNDS FROM THE COPS PROGRAM
AND AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT (COPS Homeland
Security Overtime)**

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

Section 1. The Mayor, on behalf of the City of Troy, is herein authorized to execute a grant agreement with the US Department of Justice, in substantially the form of the attached, accepting the grant award from the Office of Community Oriented Policing Services under the COPS Homeland Security Overtime Program.

Section 2. This act will take effect immediately.

Approved as to form, October 16, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 13 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 14 – REFERRED TO PLANNING COMMISSION

ORDINANCE NO. 15

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER FOY

ORDINANCE TO APPROPRIATE A PORTION OF THE 2003 DISTRESSED CITIES AID

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

Section 1. The City's Capital Fund and General Fund are hereby amended to transfer from a portion of the 2003 State Distressed Cities Aid from the general fund to the capital fund and to appropriate same as set forth in the attached schedule A entitled

"Interfund Transfer/Distressed Cities Aid – 2003"

Section 2. The Mayor is herein authorized and directed to comply with the provisions of the City's procurement policy in soliciting contracts for goods and services, including professional services, to make the purchases referred to herein. After complying with the provisions of the City's procurement policy, the Mayor is herein authorized and directed to sign any and all contracts necessary to complete the purchases, but only if the city's financial obligations under said contracts are consistent with the appropriations herein made.

Section 3. This act shall take effect immediately.

Approved as to form, October 22, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 15 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 16

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER FOY

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM AGAINST CITY OF TROY – JAMES E.
PULLAR**

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

Section 1. The City Council of the City of Troy, New York hereby approves the following claim against the City of Troy in the amount indicated:

“JAMES E. PULLAR IN THE AMOUNT OF
SIX THOUSAND AND 00/100 DOLLARS
(\$6,000.00)

Section 2. The above compromise is approved and ratified in accordance with Local Law No. 1 for the year 1964.

Section 3. The Comptroller be and hereby is authorized and directed to make, issue and countersign a draft as outlined above, said sum to be payable out of the Judgments and Claims Account.

Approved as to form, October 29, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 16 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 17

INTRODUCED BY: COUNCIL MEMBER FOY

SECONDED BY: COUNCIL MEMBER COLLIER

**ORDINANCE AMENDING THE SOUTH TROY INDUSTRIAL PARK ROAD CAPITAL PROJECT
FUND BUDGET TO TRANSFER FUNDS FROM THE CONSTRUCTION ACCOUNT INTO THE
DESIGN ACCOUNT**

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

Section 1. The South Troy Industrial Park Road Capital Project Account is hereby amended as provided in Schedule “A” entitled

“Capital Fund 2003 Transfer”

which is attached hereto and made a part hereof.

Section 2. The Mayor is herein authorized and directed to comply with the provisions of the City’s procurement policy in soliciting contracts for goods and services, including professional services, for the project referred to herein. After complying with the provisions of the City’s procurement policy, the Mayor is herein authorized and directed to sign any and all contracts necessary to complete the project, but only if the city’s financial obligations under said contracts are consistent with the appropriations herein made.

Section 3. This act shall take effect immediately.

Approved as to form, September 10, 2003

Patrick T. Morphy, Corporation Counsel

ORDINANCE NO. 17 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SCHEDULE “A” ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 1

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER FOY

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons Commissioners of Deeds for the City of Troy for a two year term commencing November 7, 2003 through November 6, 2005:

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Laura Fisk	377 Fourth Ave.
Helen F. Cohen	Congress & Second Sts.
Karen Gorleski	RD #3, Box 166D
Nancy DeBell	1920 Highland Avenue
Donna Marin	2215 Burdett Avenue
Mary McLoughlin	8 – 109 th Street
Susan Sisto	2215 Burdett Avenue
Sandra Stopera	2215 Burdett Avenue
Linda Coiteux	2215 Burdett Avenue

Approved as to form, October 23, 2003

Patrick T. Morphy, Corporation Counsel

RESOLUTION NO. 1 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 2

INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN AND ARMET

SECONDED BY: COUNCIL MEMBER WELCOME

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NYS
DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE RECEIPT OF FEDERAL GANG
VIOLENCE CRIMINAL SUPPRESSION FUNDS TO SUPPORT THE 2003 BUDGET**

WHEREAS, the New York State Division of Criminal Justice Services has offered to the City of Troy federal funds to support additional police patrols for drug interdiction, gang activity and related offenses in designated areas of the city; and

WHEREAS, the 2003 program will emphasize offenders who are victimizing children; and

WHEREAS, the funds are needed to provide essential services to citizens of the City, NOW, THEREFORE,

BE IT RESOLVED that the Mayor, on behalf of the City of Troy is herein authorized to execute an agreement with the New York State Division of Criminal Justice Services accepting federal Gang Violence Criminal Suppression funds to support additional police patrols for drug interdiction, gang activity and related offenses in designated areas of the City.

Approved as to form, October 8, 2003

Patrick T. Morphy, Corporation Counsel

RESOLUTION NO. 2 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 3

INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN

SECONDED BY: COUNCIL MEMBER ARMET

RESOLUTION APPOINTING MEMBER TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, under the provisions of Section 1524, subdivision (1) of the Real Property Tax Law, the legislative body of a local government appoints the members to the Board of Assessment Review; and

WHEREAS, the Board of Assessment Review of the City of Troy consists of five (5) persons who shall have a knowledge of property values in the City of Troy; and

WHEREAS, the term of James Whalen has expired on September 30, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby appoints John J. Smith of 654 Fourth Street, Troy, New York for a five (5) year term commencing October 1, 2003 and terminating September 30, 2008.

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Approved as to form, October 23, 2003
Patrick T. Morphy, Corporation Counsel

RESOLUTION NO. 3 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 4

INTRODUCED BY: COUNCIL MEMBER FOY

SECONDED BY: COUNCIL MEMBER JUDGE

**SAMPLE RESOLUTION BY MUNICIPALITY AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI”
PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFOR.**

WHEREAS, a Project for the construction of South Troy Industrial Park Road from Main Street to Adams Street, City of Troy, Rensselaer County, P.I.N. 1754..59 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Troy desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering.

NOW, THEREFORE, the City Council, duly convened does hereby

RESOLVE, 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 and non-federal share of the cost of Preliminary Engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$343,000.00 (Three hundred forty three thousand dollars and no cents) has already been appropriated from H2000-406 Design Services and made available to cover the cost of participation in the Preliminary Engineering phase of the Project; and it is further

RESOLVED, that an additional sum of \$129,000.00 (One hundred twenty nine thousand dollars and no cents) is hereby appropriated from H2000-406 (or, appropriated pursuant to _____) and made available to cover the additional cost of participation in the Preliminary Engineering Phase of the Project

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Troy shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, 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 and/or Marchiselli Aid on behalf of the City of Troy with the New York State Department of Transportation 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 permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION NO. 4 PASSED – UNANIMOUS

To Mayor, 11/07/03 for Executive Action – Approved, Returned 11/24/03

SEE SUPPORT DOCUMENTATION WITH LEGISLATION