

- 19 -  
**REGULAR MEETING  
CITY COUNCIL  
MARCH 6, 2003**

**ROLL CALL:**

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

**PUBLIC FORUM:** List of Speakers on file

**LOCAL LAW INTRO #1**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**LOCAL LAW NO. 2 (INTRO #2) FOR 2003 AMENDING LOCAL LAW NO. 1 FOR 2001 AMENDING  
PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION REGARDING MAXIMUM INCOME  
LEVELS FOR HOMEOWNERS ON PERMANENT SOCIAL SECURITY DISABILITY**

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

Section 1. (Scope of exemption.)

Real property shall be exempt from taxation to the extent as provided in the schedule herein if: owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation by to the extent of fifty per centum of the assessed valuation thereof as hereinafter provided.

Section 2. (Table of exemption)

Percentage

Assessed  
Valuation  
Exempt  
From  
Taxation

Annual Income

Less than <del>\$20,500</del> <u>\$21,500</u>	50%
More than <del>\$20,500</del> <u>\$21,500</u> but less than <del>\$21,500</del> <u>\$22,500</u>	45%
More than <del>\$21,500</del> <u>\$22,500</u> but less than <del>\$22,500</del> <u>\$23,500</u>	40%
More than <del>\$22,500</del> <u>\$23,500</u> but less than <del>\$23,500</del> <u>\$24,500</u>	35%
More than <del>\$23,500</del> <u>\$24,500</u> but less than <del>\$24,400</del> <u>\$25,400</u>	30%
More than <del>\$24,400</del> <u>\$25,400</u> but less than <del>\$25,300</del> <u>\$26,300</u>	25%
More than <del>\$25,300</del> <u>\$26,300</u> but less than <del>\$26,200</del> <u>\$27,200</u>	20%
More than <del>\$26,200</del> <u>\$27,200</u> but less than <del>\$27,100</del> <u>\$28,100</u>	15%
More than <del>\$27,100</del> <u>\$28,100</u> but less than <del>\$28,000</del> <u>\$29,000</u>	10%
More than <del>\$28,000</del> <u>\$29,000</u> but less than <del>\$28,900</del> <u>\$29,900</u>	5%

Section 3. For purposes of this local law:

(A) "sibling" shall mean a brother or a sister, whether related through half blood, whole blood, or adoption.

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

- (B) A person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who is
- i. certified to receive Social Security Disability Insurance (SSDI) or
  - ii. certified to receive Railroad Retirement Disability benefits under the Federal Railroad Retirement Act, or
  - iii. has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind.

An award letter from the Social Security Administration or the Railroad Retirement Board or a certificate from the State Commission for the Blind and Visually Handicapped shall be submitted as proof of disability.

Section 4. Any exemption provided by this local law shall be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed; provided, however, that no parcel may receive an exemption pursuant to both this local law and Local Law No. 1 for the year 1967, as amended.

Section 5. No. exemption shall be granted:

- i. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date making application for exemption exceeds the sum of twenty-nine thousand nine hundred dollars (\$29,900). Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include Social Security and Retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or money earned through employment in the federal Foster Grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for production of income or
- ii. Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in New York Public Health Law section 2801, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

Section 6. Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by his share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

Section 7. That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this local law and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

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

Section 8. Application for such exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the State Board, and shall be filed in the office of the Assessor for the City of Troy on or before June 1<sup>st</sup> of each year, provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this local law is first sought or the disability is first determined to be permanent.

Section 9. At least sixty days prior to the appropriate taxable status date, the Assessor shall mail to each person who was granted exemption pursuant to this local law on latest completed assessment roll an application form and a notice that such application must be filed on or before June 1<sup>st</sup> and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

Section 10. Notwithstanding any other provision of law to the contrary, the provisions of this local law shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to section 1 of this local law, were such person or persons the owner or owners of such real property.

Section 11. This Local Law shall take effect upon filing in accordance with State law.

Approved as to form, January 15, 2003

Patrick T. Morphy, Corporation Counsel

**LOCAL LAW NO. 2 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

LOCAL LAW FILED WITH DEPT. OF STATE. SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**LOCAL LAW NO. 3 (INTRO NO. 3)**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER FOY**

**LOCAL LAW NO. 3 (INTRO NO. 3) FOR 2003 AMENDING LOCAL LAW NO. 2 FOR 2001  
AMENDING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION REGARDING  
MAXIMUM INCOME LEVELS FOR SENIOR CITIZENS**

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

Section 1. Article XIII. Sec. 1 of the Troy Code is hereby amended to read as follows:

Real property shall be exempt from taxation to the extent as provided in the schedule herein if:

- (i) owned by one (1) or more persons, each of whom is age sixty-five (65) years of age or older, or will become 65 years of age on or before December thirty-first of the same year of the appropriate taxable status date; or
- (ii) owned by husband and wife, one of whom is sixty-five (65) years of age or older or will become sixty-five (65) years of age before December thirty-first of the same year of the appropriate taxable status date.

Annual Income	Percentage Assessed Valuation Exempt from Taxation
<del>20,500</del> \$21,500 or less	50%
More than <del>20,500</del> 21,500 but less than <del>21,500</del> 22,500	45%
More than <del>21,500</del> 22,500 but less than <del>22,500</del> 23,500	40%
More than <del>22,500</del> 23,500 but less than <del>23,500</del> 24,500	35%
More than <del>23,500</del> 24,500 but less than <del>24,400</del> 25,400	30%
More than <del>24,400</del> 25,400 but less than <del>25,300</del> 26,300	25%
More than <del>25,300</del> 26,300 <del>26,200</del> 27,200	20%

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

More than <del>26,200</del> 27,200 but less than <del>27,100</del> 28,100	15%
More than <del>25,100</del> 28,100 but less than <del>26,000</del> 29,000	10%
More than <del>28,000</del> 29,000 but less than <del>28,900</del> 29,900	05%

Section 2. Article XIII Sec. 3. Paragraph (a) of the Troy Code is hereby amended as follows:

Sec. 2. (Condition for exemption).

No exemption shall be granted.

- (a) if the income of the owner or the combined income of the owners of the property exceeds the sum of twenty-nine thousand nine hundred dollars (\$29,900.00) for the calendar year preceding the date of making application for exemption. Where title is vested in either the husband or wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings, and net income from self-employment, but shall not include gifts or inheritance.

Section 3. This act shall take effect immediately upon adoption and filing in accordance with State law.

Approved as to form, January 15, 2003

Patrick T. Morphy, Corporation Counsel

**LOCAL LAW NO. 3 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

LOCAL LAW FILED WITH DEPT. OF STATE. SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 1**

**INTRODUCED BY: COUNCIL MEMBER WOJCIK**

**SECONDED BY: COUNCIL MEMBER WELCOME**

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM AGAINST CITY OF TROY – JOAN DeDEO**

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:

“JOAN DeDEO IN THE AMOUNT OF  
ONE THOUSAND TWO HUNDRED SEVENTY-NINE  
AND 31/100 DOLLARS (\$1,279.31)”

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, February 12, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 1 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 2**

**INTRODUCED BY: COUNCIL MEMBER WOJCIK**

**SECONDED BY: COUNCIL MEMBER ARMET**

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM AGAINST CITY OF TROY – RICHARD  
MCDERMOTT**

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:

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

“RICHARD McDERMOTT IN THE AMOUNT OF  
TWO THOUSAND FOUR HUNDRED SIXTY-TWO  
AND 44/100 DOLLARS (\$2,462.44)

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, February 12, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 2 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 3**

**INTRODUCED BY: COUNCIL MEMBER FOY**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**AMENDED ORDINANCE AUTHORIZING THE CITY TO RECEIVE FUNDS FROM THE  
ENVIRONMENTAL PROTECTION FUND AND ESTABLISHING A CAPITAL PROJECT TO  
ACCOUNT FOR SUCH FUNDS**

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 State of New York to receive \$25,000 in Hudson River Estuary Grant funds for the design of a boat launch facility at Ingalls Avenue.

Section 2. A capital project account is hereby established and funds are herein transferred into said account to support the Ingalls Avenue boat launch facility project, as provided in Schedule A entitled  
“Ingalls Avenue Boat Launch Capital Project Fund”

Section 3. The Mayor is herein authorized with Council approval to enter into conservation easement agreements with New York State regarding lands formerly under water as required by the grant agreement.

Section 4. The Mayor is herein authorized to enter into a coordination agreement with Niagara Mohawk Power Corporation and the New York State Department of Environmental Conservation, as required by the grant agreement, to perform additional environmental testing and archeological research, at the City’s cost, at the time that Niagara Mohawk performs its own testing on the site as required by order of the New York State Department of Environmental Conservation.

Section 5. 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 carry out 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 purchase, but only if the city’s financial obligations under said contracts are consistent with the appropriations herein made and with City Council approval.

Section 6. This act will take effect immediately.

Approved as to form, March 11, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 3 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

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

**ORDINANCE NO. 4**

**INTRODUCED BY: COUNCIL MEMBER FOY**

**SECONDED BY: COUNCIL MEMBER JUDGE**

**AMENDED ORDINANCE AUTHORIZING THE CITY TO RECEIVE FUNDS FROM THE  
ENVIRONMENTAL PROTECTION FUND TO ASSIST IN FINANCING THE COSTRUCTION OF A**

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

**HUDSON RIVER FISHING PIER AND ESTABLISHING A CAPITAL PROJECT ACCOUNT TO  
SUPPORT THE PROJECT**

The City of Troy, convened in the 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 State of New York to receive \$47,000 in Clean Water/Clean Air Bond Act Funds for the construction of a Hudson River Fishing Pier.

Section 2. A capital project account is hereby established and funds are herein transferred into said account to support the Hudson River Fishing Pier Project, as provided in Schedule A entitled  
“Capital Project Fund  
Hudson River Fishing Pier”

Section 3. The Mayor is herein authorized to enter into conservation easement agreements with New York State regarding lands formerly under water as required by the grant agreement.

Section 4. The Mayor is herein authorized to enter into a coordination agreement with Niagara Mohawk Power Corporation and the New York State Department of Environmental Conservation, as required by the grant agreement, to perform additional environmental testing and archeological research, at the City’s cost, at the time that Niagara Mohawk performs its own testing on the site as required by order of the New York State Department of Environmental Conservation.

Section 5. 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 carry out 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 purchase, but only if the city’s financial obligations under said contracts are consistent with the appropriations herein made and with City Council approval.

Section 6. This act will take effect immediately.

Approved as to form, March 11, 2003  
Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 4 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

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

**ORDINANCE NO. 5**

**INTRODUCED BY: COUNCIL MEMBER WOJCIK**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN OPTION/LEASE WITH A.T.&T  
WIRELESS SERVICES FOR SPACE ON AND IN THE VICINITY OF THE TIBBITS AVENUE WATER  
TOWER FOR PLACEMENT OF THEIR TELECOMMUNICATIONS EQUIPMENT**

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

Section 1. Pursuant to Section 5.51 of the Troy City Charter the City Council herein determines that the space atop the city’s Tibbits Avenue water tower is no longer needed for city purposes.

Section 2. The Mayor, on behalf of the City of Troy, is hereby authorized to execute an option/lease agreement with A.T.&T. Wireless Services PCS, LLP, substantially in the form of the attached, leasing to said company the space atop the Tibbits Avenue water tower for an initial annual rent of \$18,000 over the ten year initial term with the company having an opportunity to renew said lease for up to two additional terms of five years each at a 20% increase in rent at the beginning of each renewed five-year term.

Section 3. This Act shall take effect immediately.

Approved as to form, February 13, 2003  
Patrick T. Morphy, Corporation Counsel

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

**ORDINANCE NO. 5 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**  
SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 6**

**INTRODUCED BY: COUNCIL MEMBERS TUTUNJIAN/ARMET**

**SECONDED BY: COUNCIL MEMBER DORAN**

**ORDINANCE AMENDING THE 2003 CITY BUDGET TO RECOGNIZE INCREASED REVENUES FROM THE FEDERAL ASSET FORFEITURE ACCOUNT AND APPROPRIATE FUNDS WITHIN THE POLICE BUREAU'S "OTHER ~~EQUIPMENT~~/MATERIALS SOS/FEDERAL FORFEITURE" ACCOUNT**

**(North Substation Renovation and Equipment)**

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

Section 1. The 2003 City Budget is hereby amended to increase revenues received from the Federal Asset Forfeiture Account, A2600-2620A, and appropriate funds within the Police Bureau's Account entitled "Other ~~Equipment~~/Materials SOS/Federal Forfeiture" A3120-0303-0032, as provided in Schedule A, 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, to carry out the project referenced 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 referenced herein, 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, March 6, 2003

**ORDINANCE NO. 6 PASSED – AYES 8 NOES 1 (Noes: Foy)**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

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

**ORDINANCE NO. 7**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER WELCOME**

**ORDINANCE AUTHORIZING ESTABLISHMENT OF A CAPITAL PROJECT TO RECOGNIZE THE RECEIPT OF EPF GRANT FUNDS AND TO TRANSFER CERTAIN FUNDS INTO THE ACCOUNT TO SUPPORT THE PURCHASE OF DPU SEWER EQUIPMENT**

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

Section 1. A capital project account is hereby established and funds are herein transferred into said account to support the purchase of equipment to reduce debris in the City's combined sewer outflows, as provided in Schedule A entitled "Sewer Equipment Purchase"

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 carry out the purchase 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 purchase, but only if the city's financial obligations under said contracts are consistent with the appropriations herein made.

Section 3. This act will take effect immediately.

Approved as to form, February 13, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 7 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

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

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

**ORDINANCE NO. 8**

**INTRODUCED BY: COUNCIL MEMBER COLLIER**

**SECONDED BY: COUNCIL MEMBER FOY**

**ORDINANCE AMENDING THE TROY CODE OF ORDINANCES TO PROVIDE AN AMNESTY  
PERIOD FOR PENALTIES ON PARKING FINES**

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

Section 1. There is hereby enacted for the City of Troy a parking violations amnesty program whereby the comptroller of the City of Troy and/or her designee shall cancel the penalty imposed by Section 28-25(e) of the Troy Code of Ordinances for any violation of Section 28-25 of the Troy Code of Ordinances.

Section 2. The Troy parking violations amnesty program shall only apply to such violations issued on or before March 6, 2003, and shall be effective for those eligible persons paying their fines during the period commencing April 15, 2003 and ending June 15, 2003

Section 3. The Comptroller or her designee shall notify all eligible persons of the amnesty program, by mail, in the most cost effective manner practicable.

Section 4. The Comptroller is hereby authorized and directed to promulgate rules and regulations not inconsistent with the provisions hereof to effectuate the program.

Section 5. This ordinance shall become effective immediately.

Approved as to form, February 24, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 8 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**ORDINANCE NO. 9**

**INTRODUCED BY: THE ADMINISTRATION**

**SECONDED BY: WELCOME**

**ORDINANCE AMENDING A CAPITAL PROJECT ACCOUNT AND THE CITY'S 2003 GENERAL  
FUND BY TRANSFERRING FUNDS TO SUPPORT THE LANSINGBURGH POLICE SUBSTATION  
LEASE**

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

Section 1. The capital project account and the City's 2003 General Fund Budget is hereby amended to provide for the transfer of funds as provided in Schedule "A" entitled:

"Lansingburgh Substation Lease"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, February 25, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 9 PASSED AYES 8 NOES 1 (Noes: Foy)**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

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

**ORDINANCE NO. 10**

**INTRODUCED BY: THE ADMINISTRATION**

**SECONDED BY: COUNCIL MEMBER ARMET**

**ORDINANCE TRANSFERRING FUNDS BETWEEN CAPITAL PROJECT ACCOUNTS TO SUPPORT  
CONSTRUCTION AT THE CENTRAL POLICE STATION**

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

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

Section 1. The Capital Project Funds are hereby amended as provided in Schedule "A" entitled:  
"Public Safety Center Improvements"  
which is attached hereto and made a part hereof.

Section 2. The Mayor is herein authorized and directed to comply with the provision of the City's procurement policy in soliciting contracts for goods and services, including professional services, to carry out 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, February 28, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 10 PASSED - AYES 8 NOES 1 (Noes: Foy)**

**To Mayor, 3/11/03 for Executive Action - Approved, Returned 3/25/03**

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

**ORDINANCE NO. 11**

**INTRODUCED BY: COUNCIL MEMBER COLLIER**

**SECONDED BY: COUNCIL MEMBER FOY**

**ORDINANCE TRANSFERRING FUNDS BETWEEN CAPITAL PROJECT ACCOUNTS TO SUPPORT  
THE PURCHASE OF EQUIPMENT TO REPAIR STREET POTHOLE**

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

Section 1. The Capital Project Funds are hereby amended as provided in Schedule "A" entitled  
"DPW Streets Equipment Purchase"  
which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, February 28, 2003

Patrick T. Morphy, Corporation Counsel

**ORDINANCE NO. 11 PASSED - UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action - Approved, Returned 3/25/03**

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

**RESOLUTION NO. 1**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER JUDGE**

**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 March 7, 2003 through March 6, 2005:

Christine T. Bowen	6 Wilde Street
Marie F. Mosher	43 Munro Court
Thomas Gaynor	3253 Sixth Avenue
Margaret A. McDermott	10 Donegal Avenue
Joanna M. Christian	372 Fourth Avenue
John E. Hogan	2000 Sixth Avenue
Josephine Van Patten	52 - 102 <sup>nd</sup> Street
Veronica J. Ciccarelli	8 Wilde Street
Deborah France	3215 Sixth Avenue
Georgette Cartwright	3215 Sixth Avenue
Mary Pat Fogarty	1504 Fifth Avenue
Elizabeth Rourke	2 Highpointe Drive

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

Donata J. Gervasio	415 Fulton Street
Kristine S. McLoughlin	415 Fulton Street
Ann M. O'Brien	397 Sixth Avenue
Robert M. Lasky	329 Second Street
Frances Mary Scott	2 First St., Apt. 609
Lydia R. Lizasuain	415 Fulton Street
Sandra L. Peckham	415 Fulton Street
Harry Tutunjian	31 – 24 <sup>th</sup> Street
Robert Armet	145 Delaware Avenue

Approved as to Form, March 5, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 1 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 2**

**INTRODUCED BY: COUNCIL MEMBER ARMET**

**SECONDED BY: COUNCIL MEMBER LAPOSTA**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR SAFETY BELT ENFORCEMENT**

Whereas, the New York State Governor's Traffic Safety Committee administers federal funds for seat belt enforcement; and;

Whereas, the Governors Traffic Safety Committee has offered the City of Troy \$18,720 in grant funds to provide additional patrols for the enforcement of seat belt laws on city streets; now therefore,

BE IT RESOLVED, that the Mayor, on behalf of the City of Troy is herein authorized to execute a grant agreement with the New York State Governors' Traffic Safety Committee to provide additional police patrols to increase the enforcement of seat belt laws on the City's Streets.

Approved as to form, February 11, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 2 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 3**

**INTRODUCED BY: COUNCIL MEMBER ARMET**

**SECONDED BY: COUNCIL MEMBER COLLIER**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE GOVERNORS TRAFFIC SAFETY COMMITTEE FOR CHILD PASSENGER SAFETY**

Whereas, the New York State Governor's Traffic Safety Committee administers federal funds for seat belt enforcement; and;

Whereas, the Governor's Traffic Safety Committee has offered the City of Troy \$8,000 in grant funds to offer child passenger safety programs, including child passenger safety seats and instruction in their proper use; now therefore,

BE IT RESOLVED, that the Mayor, on behalf of the City of Troy, is herein authorized to execute a grant agreement with the New York State Governor's Traffic Safety Committee to offer child passenger safety programs, including child passenger safety seats and instruction in their proper use.

Approved as to form, February 12, 2003

Patrick T. Morphy, Corporation Counsel

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

**RESOLUTION NO. 3 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 4**

**INTRODUCED BY: COUNCIL MEMBER ARMET**

**SECONDED BY: COUNCIL MEMBER WELCOME**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE GOVERNORS' TRAFFIC SAFETY COMMITTEE FOR THE SELECTIVE TRAFFIC ENFORCEMENT (STEP) PROGRAM**

Whereas, the New York State Governors' Traffic Safety Committee administers federal funds for the Selective Traffic Enforcement (STEP) Program; and;

Whereas, the Governors Traffic Safety Committee has offered the City of Troy \$24,336 in grant funds to provide additional police patrols to reduce the number of aggressive drivers on the City's streets; now therefore,

BE IT RESOLVED, that the Mayor, on behalf of the City of Troy, is herein authorized to execute a grant agreement with the New York State Governor's Traffic Safety Committee to provide additional police patrols to reduce the number of aggressive drivers on the City's streets.

Approved as to form, February 12, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 4 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 5**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER COLLIER**

**RESOLUTION SUPPORTING AN APPLICATION TO THE FY 2003 HISTORIC PRESERVATION FUND GRANTS TO PRESERVE NATIONALLY SIGNIFICANT INTELLECTUAL AND CULTURAL ARTIFACTS AND HISTORIC STRUCTURES AND SITES LANSINGBURGH VILLAGE BURIAL GROUNDS**

**Whereas**, the Lansingburgh Village Burial Grounds represent a very important role in the one-time Village of Lansingburgh, the City of Troy and Rensselaer County and is recognized on both the State and National Registrar for Historic Places, and

**Whereas**, many prominent citizens of the Village are interned on this historic site including the founding fathers of Rensselaer County, Veterans of the Revolutionary War, Civil War and the War of 1812 have their final resting place at this site and we believe this is a great source of history and pride for the citizens and school children of the City of Troy, Rensselaer County and the State of New York.

**Whereas**, Since 1997 the Rensselaer County Legislature on behalf of the Lansingburgh Historical Society began a push to have the Lansingburgh Burial Grounds named to the New York State and National Registers for Historical Places and this past year State Parks Commissioner Bernadette Castro announced that the site was named to the State and National Registers, and

**Whereas**, the City's and County's commitment to the burial grounds is furthered in its purpose to acquire funding needed to restore and improve this historic place, and

**Whereas**, over the past five years the Rensselaer County Environmental Management Council, Rensselaer County, the Better Burgh Club of Lansingburgh High School and the Lansingburgh Historical Society have made the commitment to have the cemetery registered. It is the goal of the City of Troy to assist the Rensselaer County Environmental Management Council in its efforts to apply for "Save America's Treasures" funding

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

**Now Therefore Let it Be Resolved**, that the Troy City Council supports the Rensselaer County Environmental Management Council as lead agency to complete the application for funding from the Save America's Treasures grant and that the Rensselaer County EMC will be the grantee of record to undertake the preservation work on the property.

Approved as to form, February 20, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 5 PASSED – UNANIMOUS**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 6**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBER FOY**

**RESOLUTION AMENDING THE CITY'S NON-REPRESENTED EMPLOYEES' POLICY (SALARY INCREASE FOR BINGO INSPECTOR)**

WHEREAS, the City of Troy has previously passed a resolution to enact a policy setting forth the wages, benefits, working conditions and other terms of employment for all City employees who are not represented by a bargaining unit; and

NOW THEREFORE, BE IT RESOLVED, that the City of Troy herein amends the City's Non-Represented Employees' Policy Appendix B as follows:

<u>Position</u>	<u>Salary</u>
Bingo Inspector	\$12,000 per year

Approved as to form, February 25, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 4 PASSED – AYES 7 NOES 2 (Noes: Doran/Welcome)**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

**RESOLUTION NO. 7**

**INTRODUCED BY: COUNCIL PRESIDENT TUTUNJIAN**

**SECONDED BY: COUNCIL MEMBERS JUDGE/ARMET**

**RESOLUTION APPOINTING MEMBER TO THE BOARD OF ASSESSMENT REVIEW (Richard Herrick)**

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 Cramer has expired on September 30, 2002.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby appoints Richard Herrick 29 Desson Ave. Troy, New York for a five (5) year term commencing October 1, 2002 and terminating September 30, 2007.

Approved as to form, March 5, 2003

Patrick T. Morphy, Corporation Counsel

**RESOLUTION NO. 7 PASSED – AYES 7 NOES 2 (Noes: Doran/Welcome)**

**To Mayor, 3/11/03 for Executive Action – Approved, Returned 3/25/03**

SEE SUPPORT DOCUMENTATION WITH LEGISLATION