

**REGULAR MEETING  
CITY COUNCIL  
May 1, 2008**

**ROLL CALL:**

MR. WOJCIK, MR. MCGRATH, MR. RYAN, MR. DUNNE, MR. ZALEWSKI, MR. GALUSKI, MR. BROWN, MR. BAUER, PRESIDENT CAMPANA

ABSENT:

Local Law No. 2 Date April 3, 2008  
Introduced by Council Member Campana Motion Dunne  
At the request of Administration Seconded by Ryan

**LOCAL LAW #2**

**LOCAL LAW NO. 2 (INTRO #2 FOR 2008)  
TO CREATE THE CITY COUNCIL  
CHARTER REVIEW COMMISSION**

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

**The City Council, in regular session of the City Council, hereby Votes to Override the Mayoral Veto of April 10, 2008 on Local Law #2 (Intro #2 for 2008) as attached hereto and made a part hereof.**

**Ordinance ADOPTED by the following vote:**

Ayes: 6  
Noes: 3 – Bauer, Wojcik, McGrath  
Abstain: 0

**Does not need Mayor Approval – override of previous veto**

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Ordinance 1 Date May 1, 2008  
Introduced by Council Member Campana Motion Ryan  
At the request of Administration Seconded by Brown

**DEFEATED**

ORD. #1

**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**

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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 Counsel:

Verizon New York Inc.

101.53-10-9  
(92-96 Fourth Street)

Verizon New York Inc.

80.63-13-1  
(466 Third Avenue)

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, if necessary, 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 the 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 property owner, if applicable.

Section 4. This Ordinance shall take effect immediately.

## **DEFEATED**

**Ordinance DEFEATED by the following vote:**

**Ayes: 3 - Ryan, Galuski, Bauer**

**Noes: 6**

**Abstain: 0**

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**Ordinance** 2 **Date** May 1, 2008  
**Introduced by Council Member** Campana **Motion** Dunne  
**At the request of** Administration **Seconded by** Zalewski

ORD. #2

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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

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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 Counsel:

Brian Livosli

112-4-24  
(506 Campbell Ave.)

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, if necessary, 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 the 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 property owner, if applicable.

Section 4. This Ordinance shall take effect immediately.

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

**Troy City Clerk**

**Executive Action**

Sent to the Mayor 05/02/2008

Approved \_\_\_\_\_ Date 05/15/2008

Received from the Mayor 05/15/08

Veto \_\_\_\_\_ Not Endorsed X

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

Ordinance 3 Date May 1, 2008

Introduced by Council Member Campana Motion McGrath

At the request of Administration Seconded by Galuski

ORD. #3

ORDINANCE AMENDING TROY HOME PROJECT # CD2042-5172 AND TROY HOME PROJECT # CD2042-5176 TO TRANFER UNUSED FUNDS FROM THE REHABILITATION PROJECT INTO THE HOMEBUYERS INCENTIVE PROGRAM

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

**Section 1. Ordinance amending the Troy home project # CD2042-5172 and # CD2042-5176 which transfers funds from the 2004 rehab allocation into the 2004 homeowners incentive program as provided in Schedule "A" entitled:**

**"Administrative Transfer – CD Budget Amendment"**

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**  
**Noes: 0**  
**Abstain: 0**

**Troy City Clerk**

**Executive Action**

Sent to the Mayor 05/02/2008

Approved X Date 05/15/08

Received from the Mayor 05/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

**Ordinance 4 Date May 1, 2008**

**Introduced by Council Member Campana Motion Ryan**

**At the request of Administration Seconded by Dunne**

ORD. #4

ORDINANCE AMENDING THE 2008 GENERAL FUND BUDGET TO ACCEPT \$77,148.00 IN  
FEMA/SEMO FUNDS  
FOR THE PURPOSE OF REPLACEMENT AND REPAIR TO THE CITY'S MARINA (DOCKS,  
GANGWAYS, AND MOORING POSTS) AS A RESULT OF THE 2006 FLOOD DAMAGE

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

Section 1. The City of Troy 2008 budget is herein amended as set forth in Schedule A entitled:

**2008 Budget Amendment – Marina Upgrades**

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**  
**Noes: 0**  
**Abstain: 0**

Troy City Clerk

Executive Action

Sent to the Mayor 05/02/2008

Approved X Date 5/15/08

Received from the Mayor 5/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

Ordinance 5 Date May 1, 2008

Introduced by Council Member Campana Motion McGrath

At the request of Administration Seconded by Dunne

ORD. #5

**ORDINANCE AMENDING THE 2008 GENERAL FUND CITY BUDGET  
TO ACCEPT TRUANCY GRANT – PROJECT # JJ07-1113-E00 FROM NEW YORK  
STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

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

Section 1. The 2008 City General Fund Budget is hereby amended to accept NYS DCJS grant fund revenue and modify appropriations within the 2008 Police Department Operating Budget as provided in Schedule “A” entitled:

**“Truancy Grant – Project # JJ07-1113-E00”**

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

**Ordinance ADOPTED by the following vote:**

**Ayes: 9**

**Noes: 0**

**Abstain: 0**

Troy City Clerk

Executive Action

Sent to the Mayor 05/02/2008

Approved X Date 5/15/08

Received from the Mayor 5/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

Ordinance 6 Date May 1, 2008  
Introduced by Council Member Campana Motion Dunne  
At the request of Administration Seconded by McGrath

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ORD. # 6

ORDINANCE AMENDING TROY HOME CHDO PROJECT # CD2062-5173 AND TROY HOME PROJECT # CD2062-5174 TO TRANSFER FUNDS FROM THE ADMINISTRATION INTO THE CHDO PROJECT TO COVER THE COST OF BUILDING NEW HOMES

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

**Section 1.** Ordinance amending the Troy home project # CD2062-5173 and # CD2062-5174 which transfers funds from CHDO administrative costs to the CHDO project as provided in Schedule "A" entitled:

**"Administrative Transfer – CD HOME CHDO Amendment"**

which is attached hereto and made a part hereof.

**Section 2.** This act shall take effect immediately.

**Ordinance ADOPTED by the following vote:**

Ayes: 9  
Noes: 0  
Abstain: 0

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Troy City Clerk

Executive Action

Sent to the Mayor 05/02/2008

Approved X Date 5/15/08

Received from the Mayor 5/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

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Resolution 1 Date May 1, 2008

Introduced by Council Member Campana Motion Zalewski

At the request of Administration Seconded by Ryan

RES. # 1

**RESOLUTION APPOINTING COMMISSIONERS OF DEEDS**

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BE IT RESOLVED, that the City Council hereby appoints the following persons, as identified in Schedule "A", attached hereto and made a part hereof, Commissioners of Deeds for the City of Troy for the terms identified in Schedule "A".

**Resolution ADOPTED by the following vote:**

**Ayes: 9**  
**Noes: 0**  
**Abstain: 0**

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**Troy City Clerk**

**Executive Action**

Sent to the Mayor 05/02/2008

Approved X Date 5/15/08

Received from the Mayor 5/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_

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Resolution 2 Date May 1, 2008

Introduced by Council Member Campana Motion Galuski

At the request of Administration Seconded by Zalewski

RES. #2

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF UNDERSTANDING WITH THE RENSSELAER COUNTY SEWER DISTRICT # 1 FOR THE PERFORMANCE OF COMPLEMENTARY ACTIVITIES DESIGNED TO MINIMIZE DISCHARGES FROM THE COMBINED SEWER OVERFLOW(s) (CSOs).**

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**WHEREAS, in 1996, as part of its Combined Sewer Overflow (CSO) Policy, the US Environmental Protection Agency (USEPA) established Nine Minimum Controls in the form of activities to be undertaken by CSO permittees to ensure that CSO events are minimized or eliminated;**

**WHEREAS the New York State Department of Environmental Conservation subsequently developed fifteen (15) Best Management Practices (BMP) and determined them to be equivalent to the USEPA Nine Minimum Controls;**

WHEREAS the NYSDEC BMPs, in part, contain: (a) provisions requiring the inspection of, and reporting on, the operation and maintenance of portions of collection systems (collector sewers, regulator dams, CSO pipes) and interception systems (regulators) and (b) a prohibition against dry weather overflows and requirements for CSO permittees to inspect, address, minimize and report any such occurrences;

WHEREAS, the City and the Rensselaer County Sewer District # 1 each perform regular inspections of, and required maintenance on, those portions of their respective systems identified above; and

WHEREAS the City and the Rensselaer County Sewer District # 1 hereto agree that it would be to the benefit of each party to be informed of the actions and findings of the other;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into a Letter of Understanding on behalf of the City of Troy with the Rensselaer County Sewer District #1, the content of said letter of understanding to be substantially in the form of the letter of understanding on file in the office of the Troy City Clerk and the office of the Corporation Counsel and by reference incorporated herein.

**Resolution ADOPTED by the following vote:**

**Ayes: 9**  
**Noes: 0**  
**Abstain: 0**

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**Troy City Clerk**

**Executive Action**

**Sent to the Mayor** 05/02/2008

**Approved** X **Date** 5/15/08

**Received from the Mayor** 5/15/08

**Veto** \_\_\_\_\_ **Not Endorsed** \_\_\_\_\_

**City Clerk** \_\_\_\_\_

**Mayor** \_\_\_\_\_

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**Resolution** 3 **Date** May 1, 2008

**Introduced by Council Member** Campana **Motion** McGrath

**At the request of** Administration **Seconded by** Dunne

**RES. #3**

**Resolution 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 therefore.**

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WHEREAS, a Project for the Reconstruction of Route 2, 11<sup>th</sup> Street to Pawling Avenue, P.I.N. 1753.39 (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 and ROW Incidentals.

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



**WHEREAS**, the Friends of Washington Park, Inc. is applying to the New York State Department of Environmental Conservation for a project grant under the Urban and Community Forestry Program to be located south of Ferry Street and north of Canal Avenue, from the Hudson River to Fourth Street, a site located within the territorial jurisdiction of this Council; and

**WHEREAS**, the Friends of Washington Park will partner with the Capital District Community Gardens and the surrounding neighborhoods of Little Italy, Think 1<sup>st</sup>, Historic Sage and the Pottery District; and

**WHEREAS**, the partners will develop a comprehensive tree planting program for the neighborhoods; and

**WHEREAS**, as a requirement of these programs, said not-for-profit organization must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”,

**NOW, THEREFORE, BE IT RESOLVED**, be it resolved that the City Council of Troy hereby does approve and endorse the application of the Friends of Washington Park, Inc. for a grant under the 2008 Urban and Community Forest Program for a project known as “Going Out on a Limb” and located within this community.

**Resolution ADOPTED by the following vote:**

**Ayes:** 9  
**Noes:** 0  
**Abstain:** 0

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**Troy City Clerk**

**Executive Action**

Sent to the Mayor 05/02/2008

Approved X Date 5/15/08

Received from the Mayor 5/15/08

Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_

City Clerk \_\_\_\_\_

Mayor \_\_\_\_\_