

**REGULAR MEETING
CITY COUNCIL
October 2, 2008**

ROLL CALL:

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

Ordinance No. 1 Date October 2, 2008
Introduced by Council Member Campana Motion Galuski
At the request of Administration Seconded by Dunne

ORD. #1

**ORDINANCE AMENDING THE 2008 CITY BUDGET TO TRANSFER FUNDS WITHIN
THE GENERAL, WATER, AND SEWER FUNDS BUDGET LINES**

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

Section 1. The City of Troy 2008 GENERAL, WATER, AND SEWER FUNDS
budgets is herein amended and set forth in Schedule A entitled:

October 2008 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Ordinance ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X Date 10/8/08

Received from the Mayor 10/15/08

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

MEMO IN SUPPORT

Title: Ordinance amending the 2008 General Fund Budget to amend 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 2008 budget are estimates of those expenses made in 2007 for 2008.

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.

**2008
October Budget
Amendment**

			Original	Change	Revised
Department	Account No.	Description	Budget*	(+ / -)	Budget
General Fund					
Engineer	A1440-0301-0000	Office Supplies	3,600	(2,000.00)	1,600
Engineer	A1440-0303-0000	Other Materials and Supplies	1,500	(500.00)	1,000
Engineer	A1440-0403-0000	Printing and Advertising	1,500	(500.00)	1,000
City Services - Administration	A1490-0404-0068	Repairs	5,000	(1,666.67)	3,333
City Services - Administration	A1490-0409-0001	Anti-Litter Program	25,000	(2,146.18)	22,854
Facilities Maintenance	A1620-0302-0000	Small Tools & Equipment	300	(300.00)	0
Facilities Maintenance	A1620-0405-0068	Rentals of Equipment	500	(500.00)	0
Central Garage	A1640-0304-0058	Repairs	100,000	14,440.00	114,440
Information Services	A1680-0101-0000	Permanent Salaries	320,634	(2,500.00)	318,134
Information Services	A1680-0113-0000	Out of Grade Weed and Seed Defy	0	2,500.00	2,500
Police Department	A3120-0301-0418	Supplies	1,000	500.00	1,500
Police Department	A3120-0303-0418	Weed and Seed Materials & Supplies	0	2,162.00	2,162
Police Department	A3120-0409-0025	Consultants - Weed and Seed	74,735	(2,662.00)	72,073
Traffic Control	A3320-0302-0000	Small Tools & Equipment	400	(400.00)	0
Traffic Control	A3320-0303-0000	Other Materials and Supplies	10,000	(1,000.00)	9,000
Traffic Control	A3320-0303-0004	Other Materials and Supplies	12,000	(3,000.00)	9,000
Traffic Control	A3320-0404-0068	Repairs to Equipment	200	(200.00)	0
Fire Department	A3410-0303-0000	Other Materials and Supplies	120,000	(9,440.00)	110,560
Code Enforcement	A3620-0809-0000	Worker's Compensation	15,000	2,500.00	17,500

Streets - DPW	A5110-0101-0000	Permanent Salaries	982,733	(15,000.00)	967,733
Streets - DPW	A5110-0102-0000	Temporary	120,000	15,000.00	135,000
Streets - DPW	A5110-0103-0000	Overtime	60,500	10,000.00	70,500
Streets - DPW	A5110-0809-0000	Worker's Compensation	89,000	(3,000.00)	86,000
Recreation	A7150-0101-0000	Permanent Salaries	745,622	(3,000.00)	742,622
Recreation	A7150-0103-0000	Overtime	50,000	3,000.00	53,000
Recreation	A7150-0302-0000	Small Tools & Equipment	1,000	(946.85)	53
Recreation	A7150-0303-0014	Turkey Trot Expenses	40,000	(3,000.00)	37,000
Recreation	A7150-0303-0000	Materials and Supplies	27,000	(6,000.00)	21,000
Recreation	A7150-0303-0033	Other Materials and Supplies Facilities	32,000	5,000.00	37,000
Recreation	A7150-0303-2430	Other Materials and Supplies	11,000	(399.89)	10,600
Recreation	A7150-0303-2431	Pool Supplies Other Materials and Supplies Facilities	11,000	(154.65)	10,845
Recreation	A7150-0303-2420	Facilities	75,000	(8,000.00)	67,000
Recreation	A7150-0304-0058	Vehicle Expense Repairs	500	(500.00)	0
Recreation	A7150-0403-0000	Printing and Advertising	4,000	(500.00)	3,500
Recreation	A7150-0409-0014	Consulting Fees - Turkey Trot	5,500	1,500.00	7,000
Recreation	A7150-0410-0000	Training	1,000	(230.00)	770
Recreation	A7150-0432-0000	Civic Services	50,000	15,494.24	65,494
Youth Recreation	A7310-0409-0069	Youth Services	0	10,000.00	10,000
Sanitation	A8160-0113-0000	Out of Grade	0	500.00	500
Sanitation	A8160-0302-0000	Small Tools & Equipment	400	(400.00)	0
Sanitation	A8160-0403-0000	Printing and Advertising	4,650	(4,650.00)	0
Sanitation	A8160-0809-0000	Worker's Compensation	40,000	(10,000.00)	30,000
Health Care Retirees	A9060-0805-0000	Medical Expenses	3,748,562	(28,000.00)	3,720,562
Health Care Retirees	A9060-805-0029	Medical Expenses PHP	94,175	28,000.00	122,175
Total General Fund Budget Expenditure Increase			<u>\$0.00</u>		

Water Fund

Central Garage	F1640-0304-0056	Vehicle Expense Gas and Oil	85,000	35,500	120,500
Pumping Station	F8320-0401-0054	Utilities Gas and Electric	275,000	34,500	309,500
Pumping Station	F8320-0404-0068	Repairs to Equipment	20,000	(14,500)	5,500
Purification	F8330-0104-0000	Comp Buy Outs	4,500	(4,500)	0
Purification	F8330-0401-0021	Utilities Heating Oil	110,000	(40,000)	70,000
Transmission & Distribution	F8340-0102-0000	Salaries - Temporary	9,500	(9,500)	0
Transmission & Distribution	F8340-0104-0000	Comp Buy Outs	1,500	(1,500)	0
Transmission & Distribution	F8340-0809-0000	Worker's Compensation	25,000	7,500	32,500
Transmission & Distribution	F8340-0809-0051	Worker's Compensation Loss Award	51,200	(7,500)	43,700
Total Water Fund Budget Expenditure Increase			<u>\$0</u>		

Sewer Fund

Sanitary Sewers	G8120-0102-0000	Salaries - Temporary	9,500	(9,500)	0
Sanitary Sewers	G8120-0103-0000	Overtime	62,500	9,500	72,000
Total Sewer Fund Budget Expenditure Increase			<u>\$0</u>		

Ordinance No. 2 Date October 2, 2008
Introduced by Council Member Campana Motion McGrath
At the request of Administration Seconded by Zalewski

ORD. #2

**ORDINANCE AMENDING THE 2008 CITY BUDGET TO ACCEPT DONATED FUNDS
IN THE AMOUNT OF \$5,522.00 FOR THE PURPOSE OF PURCHASES RELATING TO
CITY CIVIC EVENTS**

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

Section 1. The City of Troy 2008 Budget is hereby amended to accept donated funds in the amount of \$5,522.00 and appropriating those funds to the Civic Services budget line in the Recreation operating budget lines to cover necessary expenses per the attached Schedule "A" entitled:

"October Special Events Donations"

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Ordinance ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X Date 10/08/08

Received from the Mayor 10/15/08

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

Memorandum in Support

Title: Ordinance amending the 2008 city budget to accept a \$5,522.00 in donations and appropriating those funds for the purpose of purchases relative to the Special Events in the City of Troy.

Summary of Provisions: This request for action by the City Council authorizes the City to receive donated funds in the amount of \$5,522.00 and to appropriate said funds for purchases relative special City events.

Present Law: The 2008 City Budget does not reflect the receipt and expenditure of the \$5,522.00 in special events donations.

Fiscal Impact: None.

Council Committee: Finance.

Original *		Revised
<u>Budget</u>	<u>Change</u>	<u>Budget</u>

2008 Budget Amendment

General Fund

Revenue - A510			
A2089-0503			
Special Events Donations***	\$35,780	\$5,522	\$41,302
TOTAL		\$5,522	
Expenditures - A960			
A7150-0432-0000			
Civic Services	\$ 55,000	\$ 5,522	\$ 60,522
TOTAL		\$ 5,522	

Special Events Donations Include	
	\$442
	\$30
	\$25
	\$25
	\$5,000
TOTAL	\$5,522

Ordinance No. 3 Date October 2, 2008
Introduced by Council Member Campana Motion McGrath
At the request of Administration Seconded by Zalewski

ORD. #3

ORDINANCE AMENDING THE 2008 CITY BUDGET
TO ACCEPT THE "2008-2009 WEED AND SEED GRANT AWARD" AND INCREASE
WEED AND SEED FUNDS AND ALLOCATIONS IN 2008

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

Section 1. The 2008 City Budget is hereby amended to provide for the increase in Weed and Seed funds as provided in Schedule "A" entitled:

"Weed and Seed OCTOBER 2008 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: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X Date 10/08/08

Received from the Mayor 10/15/08

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

MEMO IN SUPPORT

Title: Ordinance amending the 2008 City Budget to accept the 2008/2009 weed and seed grant and appropriate the funds in 2008 to ensure that the City of Troy is able to provide services in support of the objectives of the Weed and Seed program.

Summary of Provisions: This legislation will allow for an increase in Weed and Seed funds to allow the City of Troy to provide for services in support of the objectives of the Weed and Seed program.

Present Law: N/A

Purpose: The City of Troy was awarded a \$150,000 Weed and Seed Federal Grant Allocation for expenses incurred in connection with the implementation of a Weed and Seed program in the City of Troy. The grant will run from September 1, 2008 through August 31, 2009. The attached Schedule A reflects those expenses that will occur between September 1, 2008 through December 31, 2008. The remaining dollars of the grant will be articulated in the proposed 2009 city budget.

In summary, the expenses related to this grant include reimbursement for Police Overtime for “Weed and Seed” details, the purchase of equipment for covert and overt Joint Task Force Operations, quarterly expenses for the Drug Education For Youth program, and quarterly expenses for payments for the approved organizations set up to provide the “Safe Haven” environment.

Fiscal Impact: None. Fully funded by Weed and Seed grant monies.

**Schedule A
Weed and Seed October 2008
Budget Amendment**

<u>General Fund</u>	<u>Original *</u>		<u>Revised</u>
	<u>Budget</u>	<u>Change</u>	<u>Budget</u>
Revenue - A510			-
A3000-2260-0418 Weed & Seed	\$0.00	\$20,250.50	\$20,250.50
Total Revenue Increase		<u>\$20,250.50</u>	
Expenditures - A960			
A3120-0302-0418 Weed and Seed Other Equipment	\$0.00	\$1,641.00	\$1,641.00
A3120-0303-0418 Other Weed and Seed Supplies	\$0.00	\$2,172.00	\$2,172.00
A3120-0409-0025 Weed and Seed Consultant Services	\$0.00	\$16,437.50	\$16,437.50
Total Expenditure Increase		<u>\$20,250.50</u>	

*Or as Previously Amended

09/08/08 DW

Ordinance No. 4 Date October 2, 2008
Introduced by Council Member Campana Motion Zalewski
At the request of Administration Seconded by Ryan

ORD. #4

ORDINANCE AMENDING PRIOR YEAR COMMUNITY DEVELOPMENT FUND BUDGETS TO TRANSFER RESIDUAL BALANCES FOR COMPLETED PROJECTS INTO CURRENT PROJECTS NEEDING ADDITIONAL FUNDING

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

Section 1. The Community Development Budget Fund is herein amended as set forth in "Schedule A" entitled

"Prior Year CDBG Budget Amendment"

which is attached hereto and made a part hereof.

Section 2. This act will take effect immediately.

Ordinance ADOPTED by the following vote:

Ayes: 8

Noes: 0

Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008 Approved X Date 10/08/08

Received from the Mayor 10/15/08 Veto _____ Not Endorsed _____

City Clerk _____ Mayor _____

COMMUNITY DEVELOPMENT FUND
MEMORANDUM OF SUPPORT FOR AMENDING THE BUDGET

Title: **Ordinance amending prior year community development fund budgets to transfer residual balances from completed projects into current projects requiring additional funding.**

Summary of Provisions:

Amends prior year community development fund budgets and transfers residual balances to current open projects. The programs by which funds will be moved into include the Homeowners Code Compliance Program and for Lead remediation. Other programs receiving transfers include Vacant Building Stabilization, the NICE program, recreation projects, and CDBG administrative costs – these transfers simply move the funds to a more current year like account.

Effect on

Present Law: None

Fiscal Impact: None – Moves balances from certain community development project lines into others.

Council Committee: Finance

Ordinance No. 5 **Date** October 2, 2008
Introduced by Council Member Campana **Motion** Brown
At the request of Administration **Seconded by** Dunne

ORD. #5

ORDINANCE AMENDING THE FEDERAL ASSET FORFEITURE SPECIAL REVENUE
ACCOUNT TO RECOGNIZE ADDITIONAL FEDERAL ASSET REVENUES AND
APPROPRIATE FUNDS

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

Section 1. A special revenue account is hereby amended to receive additional revenues from the Federal Asset Forfeiture Account, and appropriate funds within as provided in Schedule “A” entitled:

“Federal Forfeiture Funds”

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Ordinance ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008 Approved X Date 10/08/08

Received from the Mayor 10/15/08 Veto _____ Not Endorsed _____

City Clerk _____ Mayor _____

MEMO IN SUPPORT

Title: Ordinance amending the Federal Forfeiture Special Revenue Account to recognize additional revenues and appropriate said funds.

Summary of Provisions: This legislation will allow for an acceptance of funds from the Federal Asset Forfeiture Account (\$590,940) and appropriate said funds.

Present Law: N/A

Purpose: This request for action by the City Council reflects the receipt of \$590,940 additional Federal Asset Forfeiture monies to support the purchase of Police equipment per the back-up documentation as attached to the Schedule A.

Fiscal Impact: Amending the Federal Forfeiture special revenue account to recognize receipt of additional revenues in the amount of \$590,940 and appropriate the funds for police equipment purchases.

	Original *		Revised
	<u>Budget</u>	<u>Change</u>	<u>Budget</u>
2008 Budget Amendment			
<u>Special Revenue</u>			
Revenue - CD510			
CD2620			
Forfeitures of Deposit	\$ 590,940	\$ (590,940)	\$ -
	<u>\$590,940</u>	<u>(\$590,940)</u>	<u>\$0</u>
<u>Expenditures - A960</u>			
CD8298-203-000	\$ -	\$ 571,640	\$ 571,640
Equipment			
CD8298-303-000			
Small Equipment, Materials and Supplies	\$ -	\$ 19,300	\$ 19,300
	<u>\$ -</u>	<u>\$ 590,940</u>	<u>\$ 590,940</u>

Ordinance No. 6 Date October 2, 2008
Introduced by Council Member Campana Motion Brown

ORDINANCE ENACTING CHAPTER 177: LANDLORD REGISTRY

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

Section 1. The Troy City Council recognizes that negligent absentee landlords are among the worst problems facing our city. Responding to Troy’s many and varied neighborhood groups, who have asked the City Council to address deteriorating quality of life often associated with properties owned by negligent absentee landlords, the City Council tonight takes the first step in implementing a proactive strategy for improving our neighborhoods.

Section 2. To implement the plan, the Troy City Council has accepted the offer of the Mayor and Deputy Mayor, who agreed to provide the services of the City’s Bureau of Information Services to create and maintain the Landlord Registry database, and the Bureau of Code Enforcement to verify compliance with this legislation. The Landlord Registration Statement will be distributed to applicable property owners with their 2009 recycling bills.

Section 3. The Bureau of Information Services shall provide to the City Clerk a monthly progress report regarding the completion of the database and ninety (90) days following the issuance of the 2009 recycling bills, it shall provide to the City Clerk an electronic copy of the database in XLS, ODS, or CSV format, and a full printed copy of the registry, which shall include a list of which property owners have and have not registered. The Bureau of Information Services will provide a list of unregistered property owners to the Bureau of Code Enforcement, who will send a follow-up letter to each delinquent property owner, informing them of the application of a late fee. Code Enforcement shall provide said letters, as well as quarterly follow-up reports, to the City Clerk.

Section 4. The Troy City Council adds a new Chapter 177 to the Troy City Code, which is attached hereto and made a part hereof.

Section 5. This act will take effect on ~~February~~ January 1 , 2009.

Ordinance Amended by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Ordinance ADOPTED as Amended by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X **Date** 10/14/08

Received from the Mayor 10/15/08

Veto _____ **Not Endorsed** _____

City Clerk _____

Mayor _____

Chapter 177: LANDLORD REGISTRY

ARTICLE I Purpose and Definitions

§ 177-1. Purpose.

The purpose of this chapter is to establish a procedure for the identification and registration of rental properties, and to ensure that the City of Troy, hereinafter “City”, has a meaningful, efficient, and effective means of communicating with the persons and companies who own said rental property. This chapter is adopted to promote the health and safety of tenants and residents of the City, and to alleviate conditions of substandard housing, including slums and blight.

§ 177-2. Enforcement.

This registry shall be enforced by the Bureau of Code Enforcement. See § 176-5. **Enforcement Authority.**

§ 177-3. Definitions.

MANAGING AGENT – Any individual or individuals, partnership or corporation or any similar type of business organization who accepts responsibility for and control of a building.

OWNER – Any individual or individuals, partnership or corporation or any similar type of business organization, whether for profit or otherwise, in whose name title to a building stands, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the property.

PROCESS – A summons or any notice, mandate or any other paper process issued under any provision of the Code of The City of Troy or any law or regulation of the State of New York.

RENTAL PROPERTY – Any building containing residential units which are either rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential), and are non-owner occupied. For any rental property to be considered owner occupied, the owner must prove that all individual owners, all partners, or all shareholders of a corporation actually have their principal residence at the rental property and reside therein on a full-time basis, it being the actual domicile of all individual owners, all partners, or all shareholders. At the request of the City, any owner who claims to occupy the rental property shall provide a sworn affidavit providing the necessary information to support his or her claim that the premises are owner-occupied.

RENTAL UNIT – A residential unit occupied by a party other than an owner.

RESIDENTIAL UNIT – One or more rooms with provision for sanitary and sleeping facilities, for food preparation, for living and for working.

TENANT – A party whose right to possession of a rental unit is subject to the express or implied consent of the owner.

ARTICLE II Property Registration

§ 177-4. Registry Authority.

- A. The Registry Authority shall be responsible for administering and managing the Landlord Registry.
- B. The duties of the Registry Authority shall be fulfilled by the Bureau of Information Services (B.I.S.), with the assistance of the Bureau of Code Enforcement.

§ 177-5. Registration of owner.

- A. The owner of a property constituting a rental property shall register the same with the Registry Authority within ninety (90) days of the effective date of this chapter. The registration form shall be known as a “landlord registration statement”, and shall be signed and affirmed by the property owner of record, and if applicable, the managing agent.
- B. It shall be unlawful for any owner to offer any unit for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this chapter as required herein within the time prescribed for such registration. Failure to receive notice of the registration deadline shall not be a defense for failure to register rental property. It is the owner’s responsibility to fulfill the requirements of this article.

§ 177-6. Designation of managing agent.

- A. In the event that the owner of a rental property does not reside within twenty (20) miles of the City limits, or if the owner is not a natural person, such owner shall be required to designate a managing agent.
- B. The managing agent shall be a natural person, eighteen (18) years of age or older, who actually resides within twenty (20) miles of the City limits or has a regular place of business within twenty (20) miles of the City limits.
- C. The managing agent shall be designated by the owner as the person responsible for and in control of the maintenance and operation of such rental property, and upon whom process may be served on behalf of the owner.

- D. Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent with respect thereto any officer of such corporation who meets the requirements of this subsection as to location of the residence or the place of transacting business of the managing agent.
- E. Any designation as managing agent made pursuant to the provisions of this section shall remain in full force and effect until changed or terminated as herein provided.

§ 177-7. Landlord registration statement.

- A. Every owner of a rental property as defined above shall file with the Registry Authority, within ninety (90) days after the adoption of this chapter, a landlord registration statement on forms to be supplied by the Registry Authority, containing the following information:
 - (1) Property Description: A description of the premises, including: address, number of units, number of floors, total number of bedrooms, whether the units are rented or leased, the name listed on the property deed, and any other identifying information as requested by the Registry Authority.
 - (2) Owner Information: The owner's name, physical address (P.O. Box is not acceptable), mailing address, and primary and secondary voice telephone numbers. If available, a fax number and/or an e-mail address may be provided.
 - (3) Designation of Managing Agent: If a managing agent is required by §177-6, then the owner shall provide the following information: the name, business address, business telephone number, and fax number of the managing agent.
 - (4) Insurance Information: The name, address, and business telephone number of the insurance provider, along with a copy of the insurance policy.
- B. The owner shall be obligated, at all times, to keep this information updated, and when there is a change in any of the requested items (ownership, managing agent, insurance coverage, etc.), the owner shall update the information by amending the landlord registration statement within thirty (30) days from the date of any such change.
- C. Upon completion, execution and submission of the landlord registration statement as aforesaid, said registration shall be reviewed by the Registry Authority or their designee for adequacy. Should the Registry Authority and/or their designee determine that said application is incomplete for any reason, said application shall be marked "rejected" and returned to the filer. A rejected application shall not be deemed compliant with the requirements of this article.
- D. Where after filing any landlord registration statement in relation to any rental property under the applicable provisions of this article, the owner of such property shall have granted or transferred his/her right, title or interest therein or

in any part thereof, the new owner shall file a new landlord registration statement with the Registry Authority within thirty (30) days after such grant or transfer.

- E. Any designation of the managing agent made pursuant to the applicable provisions of this section shall cease to be effective if such agent shall die or be judicially declared incompetent. An owner may terminate such designation by filing with the Registry Authority a sworn written statement designating a new managing agent made in conformity with the provisions previously cited.
- F. The landlord registration statement shall be signed by the owner, or if such owner is a corporation, by an officer thereof, or if such owner is a partnership, by a partner thereof, and said statements must be sworn to under the penalties of perjury.
- G. If a managing agent is designated pursuant to the applicable provisions of this section, the landlord registration statement shall also be signed by said managing agent.
- H. Any such landlord registration statement or designation of a managing agent shall be deemed prima facie proof of the statement therein contained, in any criminal or civil prosecution instituted by the City or by any proper prosecutorial agency against the owner or managing agent of a rental property.

§ 177-8. Fees.

- A. There shall be a filing fee of \$150 per rental property, which shall be paid with the filing of the Landlord Registration Statement, as outlined in §177-7 herein. The Registry Authority is hereby authorized to waive the above filing fee so long as the Landlord Registration Statement is received by the Registry Authority within ninety (90) days of the effective date of this chapter, or within ninety (90) days of landlord receipt of a certificate of occupancy for newly constructed residential units.
- B. There shall be a late fee assessed in the amount of \$75 for each additional sixty (60) days that a rental property remains unregistered in violation of any registration period defined herein above.
- C. All unpaid fees imposed on or after the effective date of this chapter shall be added to the annual City tax levy for each affected property.

§ 177-9. Penalties for offenses.

Any person who fails to comply with the provisions of this chapter shall be guilty of a violation and upon conviction thereof shall be subject to a fine of not less than \$100 nor

more than \$500, or imprisonment not to exceed 15 days, or both.

Resolution No. 1 **Date** October 2, 2008
Introduced by Council Member Campana **Motion** McGrath
At the request of Administration **Seconded by** Dunne

RES. #1

RESOLUTION IN SUPPORT OF THE CATHOLIC CHARITIES OF RENSSELAER
COUNTY EXPLORATION OF A MASTER PLANNING PROCESS AND THE
PERFORMANCE OF A FEASIBILITY STUDY
FOR THE PROPOSED DEVELOPMENT AND CONSTRUCTION
OF A “FAMILY EMPOWERMENT CENTER” TO BE LOCATED
ON A PARCEL OWNED BY THE CITY OF TROY LOCATED AT
THE CORNER OF INGALLS AND SEVENTH AVENUES

WHEREAS, The Catholic Charities of Rensselaer County (CCRC)
has a long history of Public Service in Rensselaer County and the City of Troy, and

WHEREAS, The Catholic Charities of Rensselaer County (CCRC)
has explored the development of a Master Planning Process for the construction of a
“Family Empowerment Center”, and

WHEREAS, The Catholic Charities of Rensselaer County (CCRC) desires to
conduct a feasibility study for the possible construction of a “Family Empowerment
Center” on a parcel owned by the City of Troy, and

WHEREAS, the desired parcel owned by the City of Troy is located at the corner
of Ingalls and Seventh Avenues in the City of Troy.

NOW THEREFORE BE IT RESOLVED, Mayor Tutunjian and the City Council of the
City of Troy hereby supports the Catholic Charities exploration of a Master Planning
Process and the Performance of a Feasibility Study for the proposed development and
construction of a “Family Empowerment Center” to be located on a parcel owned by the
City of Troy located at the corner of Ingalls and Seventh Avenues.

Resolution ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X Date 10/08/08

Received from the Mayor 10/15/08

Veto _____ Not Endorsed _____

Resolution No. 2 Date October 2, 2008

Introduced by Council Member Campana Motion Dunne

At the request of Administration Seconded by Zalewski

RES. #2

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.

WHEREAS, a Project for the Reconstruction of NY2, from 5th Avenue to 11th Street (Congress Ferry Corridor), City of Troy, P.I.N. 1756.62 (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 Right of Way 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

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 and Right of Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$480,000.00 (Four hundred eighty thousand dollars and no cents) has already been appropriated from General Fund and made available to cover the cost of participation in the Preliminary Engineering phase of the Project; and it is further

RESOLVED, that the additional sum of \$450,000.00 (Four hundred fifty thousand dollars and no cents) (\$398,000.00 for Preliminary Engineering and \$52,000.00 for

Right of Way Incidentals) is hereby appropriated from H26-5197-0203-6452 Lower Congress Street Capital Project and made available to cover the cost of participation in the above phase of the Project; and it is further

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 is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Municipality of the City of Troy, New York 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 ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X **Date** 10/08/08

Received from the Mayor 10/15/08

Veto **Not Endorsed**

Resolution No. 3 **Date** October 2, 2008

Introduced by Council Member Campana **Motion** Zalewski

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

RES. # 3

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

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: 8
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008 Approved X Date 10/08/08

Received from the Mayor 10/15/08 Veto Not Endorsed

Resolution No. 4 Date October 2, 2008

Introduced by Council Member Campana Motion Ryan

At the request of Administration Seconded by Zalewski

RES. #4

**RESOLUTION CONFIRMING MAYORAL APPOINTMENTS TO THE
TROY INDUSTRIAL DEVELOPMENT AUTHORITY (TROY IDA)**

WHEREAS, Chapter 43-A of the Consolidated Laws of New York State, "Public Authorities Law", created and established the Troy Industrial Development Authority, hereinafter, "the Troy IDA", and

WHEREAS, the Troy IDA consist of a chairman and eight other members, all of whom are appointed by the Mayor of the City, subject to confirmation by the City Council, for a term of three (3) years, and shall include: two (2) members of the City Council of the City of Troy; one (1) representative of the school board; and one (1) representative from each of the fields of business, industry and labor, and

WHEREAS, the Mayor has appointed the following individuals to membership of the Troy Industrial Development Authority (Troy IDA):

Tony Dawson, Chair (Industry)	Hilary McGrath (School Board)
Rev. Cornelius Clark	Paul Carroll (Labor)
Lori Schindler	Mark Wojcik (City Council)
David Stackrow	John Brown (City Council)

Michael Cocca (Business)

The terms for all the above members shall be to fill the term beginning 4/27/2008 and expiring on 4/26/2011.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy hereby confirms the appointment of the above members to the Troy IDA for the term beginning 4/27/2008 and expiring 4/26/2011.

Resolution ADOPTED by the following vote:

Ayes: 6
Noes: 0
Abstain: 2 McGrath, Brown

Troy City Clerk

Executive Action

Sent to the Mayor 10/03/2008

Approved X Date 10/08/08

Received from the Mayor 10/15/08

Veto Not Endorsed