

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
November Budget Amendment

Department	Account No.	Description	Original Budget*	Surplus (Deficit)	Change (+ / -)	Revised Budget
General Fund						
City Services - Administration	A1490-0101-0000	Permanent Salaries	362,364		(5,000.00)	357,364
City Services - Administration	A1490-0103-0000	Temporary Salaries	6,500		3,500.00	10,000
City Services - Administration	A1490-0103-0000	Overtime	0		1,500.00	1,500
DPW Facilities Maintenance	A1620-0809-0000	Worker's Compensation	15,000		(5,000.00)	10,000
DPW Garage Parts	A1640-0304-0057	Garage Vehicle Parts	220,000		22,000.00	242,000
Health/Worker's Comp Assess Fee	A1710-0409-0060	W/C Administration Fees	32,600		7,000.00	39,600
Health/Worker's Comp Assess Fee	A1710-0409-0092	W/C Assessment Fees	72,600		(7,000.00)	65,600
Police Department	A3120-0410-0000	Training	40,000		(5,000.00)	35,000
Police Department	A3120-0409-0059	Veterinary Services	15,000		8,000.00	23,000
Police Department	A3120-0423-0000	Uniforms	47,000		(3,000.00)	44,000
Fire Department	A3410-0301-0000	Office Supplies	4,000		100.00	4,100
Fire Department	A3410-0303-0000	Other Materials and Supplies	120,000		(100.00)	119,900
Code Enforcement	A3620-0809-0000	Worker's Compensation	17,500		5,000.00	22,500
Streets - DPW	A5110-0101-0000	Permanent Salaries	967,733		(40,000.00)	927,733
Streets - DPW	A5110-0102-0000	Temporary	120,000		20,000.00	140,000
Streets - DPW	A5110-0103-0000	Overtime	60,500		20,000.00	80,500
Recreation	A7150-0102-0000	Temporary Salaries	270,000		30,000.00	300,000
Recreation	A7150-0103-0000	Overtime	50,000		10,000.00	60,000
Recreation	A7150-0304-0056	Recreation Gasoline	32,000		7,000.00	39,000

Planning	A8020-0101-0000 Permanent Salaries	719,868	(40,000.00)	679,868
Sanitation - DPW	A8160-0101-0000 Permanent Salaries	1,034,691	(29,000.00)	1,005,691
Health Care Retirees	A9060-0805-0000 Medical Expenses	3,748,562	(110,000.00)	3,638,562
Health Care Retirees	A9060-805-0029 Medical Expenses PHP	94,175	110,000.00	204,175

Total General Fund Budget Expenditure Increase #REF! **\$0.00**

Water Fund

Central Garage	F1640-0203-0000 Other Equipment	45,000	(16,000)	29,000
Central Garage	F1640-0304-0057 Vehicle Parts & Supplies	55,000	10,000	65,000
Central Garage	F1640-0404-0068 Repairs to Equipment	3,500	(3,500)	0
DPU - Administration	F8310-0409-0000 Consultant Services	35,000	(11,000)	24,000
DPU - Administration	F8310-0413-0046 Taxes - Other Governments	575,000	(22,500)	552,500
Pumping Station	F8320-0401-0054 Utilities Gas and Electric	275,000	45,000	320,000
Purification	F8330-0203-0000 Other Equipment	55,000	14,000	69,000
Purification	F8330-0401-0021 Utilities Heating Oil	110,000	(21,000)	89,000
Purification	F8330-0404-0068 Repairs to Equipment	20,000	(5,000)	15,000
Transmission & Distribution	F8340-0113-0000 Out of Grade Pay	2,500	(2,500)	0
Transmission & Distribution	F8340-0303-0000 Other Materials & Supplies	225,040	20,000	245,040
Transmission & Distribution	F8340-0405-0068 Rentals	3,000	(3,000)	0
Transmission & Distribution	F8340-0409-0000 Consultant Services	4,500	(4,500)	0

Total Water Fund Budget Expenditure Increase #REF! **\$0**

Ordinance No. 2 **Date** November 6, 2008
Introduced by Council Member Campana **Motion** McGrath
At the request of Administration **Seconded by** Ryan

ORD. #2

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH NEW YORK STATE DEPARTMENT OF STATE FOR THE PROJECT TITLED "RIVERFRONT PARK EXPANSION ONTO CITY HALL SITE"

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

Section 1. Prior to his final day in the New York State Senate, retired Senate Majority Leader Joseph L. Bruno, awarded the City of Troy a \$2,700,000.00 grant for the revitalization of the City Hall site. This grant award was in response to a grant request made by Mayor Harry Tutunjian for this revitalization effort.

New York State Department of State, which shall be in material compliance with the work plan attached hereto as Exhibit "A" and made a part hereof.

Section 4. 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 11/07/2008 Approved X Date 11/17/08

Received from the Mayor 11/21/08 Veto _____ Not Endorsed _____

City Clerk _____ Mayor _____

Ordinance No. 5 Date November 6, 2008
Introduced by Council Member Campana Motion Dunne
At the request of Administration Seconded by Ryan

ORD. #5

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

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

Section 1. Pursuant to and in compliance with Chapter 83 of the Code of Ordinances, the Bureau of Surplus Property accepted three (3) proposals on the hereinafter-described property located at: 21 104th Street, Troy.

Section 2. The Mayor is hereby authorized to sell and convey the hereinafter described real property to the following named purchaser and successful bidder for the sum below indicated which is hereby determined to be a fair price for the same, after a competitive proposal process and upon the terms and conditions set forth below.

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

PURCHASER: **Sean L. Keefe**
PURCHASE PRICE: **\$10,000.00** for parcel S/B/L: 90.31-8-2

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance the purchaser shall pay the entire purchase price, plus advertising cost and payment in lieu of City taxes through **December 31, 2008**, and any School taxes due through the end of the school year 2008-2009 for the school district for the aforementioned property 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 2009**, 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 purchase. 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.
- D. Purchaser shall be liable for and pay all closing costs related to this sale including, but not limited to: filing fees, deed stamps and attorneys fees.

Section 4. The said real property is described as follows: **21 104th Street, Troy.**

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.

Ordinance ADOPTED by the following vote:

Ayes: 9
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 11/07/2008 **Approved** X **Date** 11/17/08

Received from the Mayor 11/21/08 **Veto** _____ **Not Endorsed** _____

City Clerk _____ Mayor _____

Ordinance No. 6 **Date** November 6, 2008
Introduced by Council Member Campana **Motion** Galuski
At the request of Administration **Seconded by** Zalewski

ORD. #6

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A “QUIT CLAIM DEED” FOR THE RE-CONVEYANCE OF #1 – 16TH STREET

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

Section 1. John Scott Collins and Margaret Susan Collins purchased #1- 16th Street on November 23, 1993.

Section 2. The City of Troy, pursuant to a Court order through an In-Rem foreclosure action, took legal title by deed dated September 11, 1996, to property located at #1- 16th Street. Where said deed was filed in the Rensselaer County Clerk’s Office on September 12, 1996 at

Book 40, Page 370.

Section 3. John Scott Collins and Margaret Susan Collins, holder of beneficial title, by virtue of deed dated October 15, 1993 and recorded in the Rensselaer County Clerk’s Office on November 23, 1993 in Book 1707 at Page 112, and the beneficial owners have continuously retained possession and control of this parcel and paid the property taxes on same.

Section 4. At the Regular Council meeting in December 1996, the City Council approved Ordinance #107 authorizing the sale of City owned property to Antoinette & Lorraine L’Heureux, where said sale was never consummated.

Section 5. The City Council hereby repeals Ordinance #107 from the 1996 City Council meeting and authorizes the Mayor to execute a “Quit Claim” deed, along with any other document necessary to re-convey legal title to John Scott and Margaret Susan Collins.

Section 6. 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 11/07/2008

Approved X Date 11/17/08

Received from the Mayor 11/21/08

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

Ordinance No. 7 **Date** November 6, 2008

Introduced by Council Member Campana **Motion** Dunne

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

ORD. #7

ORDINANCE AUTHORIZING THE DISCONTINUANCE OF A PORTION OF RUSSELL STREET AND SALE OF THE DISCONTINUED PORTION OF CITY OWNED REAL PROPERTY TO RENSSELAER POLYTECHNIC INSTITUTE

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

Section 1. The City Council of the City of Troy hereby discontinues the portion of Russell Street, identified in schedule “A” -the description and map-, which is attached hereto and made a part hereof. Pursuant to and in compliance with Charter C-73(B), the Council hereby declares that this portion of Russell Street, identified

in schedule "A", is no longer required for City of Troy purposes.

Section 2. Rensselaer Polytechnic Institute is prepared to pay the City of Troy \$5,000.00 for the property identified hereinabove and the City Council agrees the offering price is the fair market value of this portion of Russell Street.

Section 3. The Mayor is hereby authorized to sell and convey the hereinafter described real property to the following named purchaser for the amount indicated below, which is hereby determined to be a fair market value for the same.

Section 4. The purchaser, purchase price and terms and conditions of sale are as follows:

PURCHASER: Rensselaer Polytechnic Institute

PURCHASE PRICE: \$5,000.00

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance the purchaser shall pay the entire purchase price, plus any costs associated with the preparation, execution or processing of any survey, deed or closing of title.
- B. Purchaser shall be liable for and pay all closing costs related to this sale including, but not limited to: filing fees, deed stamps and attorneys fees.

Section 5. 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 11/07/2008

Approved X **Date** 11/17/08

Received from the Mayor 11/21/08

Veto _____ **Not Endorsed** _____

City Clerk _____

Mayor _____

Ordinance No. 8 **Date** November 6, 2008

Introduced by Council Member Campana **Motion** Ryan

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

**ORDINANCE AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE CITY OF TROY BY ROBERT AND ELIZABETH MCKOSKY**

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

Section 1. The City Council hereby authorizes settlement of the Claim by Robert and Elizabeth McKosky for damage to their 2008 Honda Ridgeline, as per the police accident report dated October 10, 2008, which is attached hereto and made a part hereof.

Section 2. The settlement amount authorized is \$1,280.55 as supported by the repair estimates provided which are attached hereto and made a part hereof.

Section 3. 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 11/07/2008 Approved X Date 11/17/08

Received from the Mayor 11/21/08 Veto _____ Not Endorsed _____

City Clerk _____ Mayor _____

Resolution No. 1 Date November 6, 2008
Introduced by Council Member Campana Motion Ryan
At the request of Administration Seconded by Zalewski

RES. # 1

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".

Mabel Dumas	251 River St	12/01/2008	-	11/30/2010
Donna Megan	6 Farview Ave	12/01/2008	-	11/30/2010
William Dunne	100 Third St	12/01/2008	-	11/30/2010

Resolution ADOPTED by the following vote:

Ayes: 8
Noes: 0
Abstain: 1

Troy City Clerk

Executive Action

Sent to the Mayor 11/07/2008 Approved X Date 11/17/08

Received from the Mayor 11/21/08 Veto _____ Not Endorsed _____

City Clerk _____ Mayor _____

Resolution No. 2 Date November 6, 2008

Introduced by Council Member Campana Motion Zalewski

At the request of Administration Seconded by Galuski

RES. #2

**RESOLUTION SUPPORTING AN AMENDMENT TO NEW YORK STATE
LAW (A 11809), TO ENABLE LOCAL HOUSING AUTHORITIES TO
ACCESS TAX REFUNDS OF TENANTS AND FORMER TENANTS
OWING MONEY TO A HOUSING AUTHORITY**

WHEREAS, municipal housing authorities throughout New York State suffer significant losses each year from unpaid rent and damages to rental property; and

WHEREAS, these lost revenues have an adverse impact on the budgets of municipal housing authorities which are funded by public money; and

WHEREAS, the Troy Housing Authority has recognized uncollected rent and damage write-offs of \$140,000.00 during fiscal year 2007 alone; and

WHEREAS, William B. Meissner, Executive Secretary to the Troy Housing Authority, has submitted a resolution supporting an amendment to New York State Law to enable local housing authorities to access tax refunds of tenants and former tenants owing money to a housing authority; and

WHEREAS, Assembly Bill A11809 is presently under consideration by the New York State Assembly, and

WHEREAS, Senate Bill S 8214, was passed on June 17, 2008 by the New York State Senate, and

WHEREAS, this Legislative body recognizes that the City of Troy and its residents have an exclusive but vested interest in the financial solvency of the Troy Housing Authority; now, therefore be it

RESOLVED, that the Troy City Council urges support of Assembly Bill A11809, an amendment to NYS Law to enable local housing authorities to access tax refunds of tenants and former tenants owing money to a housing authority; and, be it further

RESOLVED, that the Clerk of the City of Troy is hereby directed to transmit certified copies of this resolution to Assembly Majority Leader Ronald Canestrari, Assemblywoman Joan Christensen,

Assemblyman Roy McDonald and Assemblyman Tim Gordon.

Resolution ADOPTED by the following vote:

Ayes: 9
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 11/07/2008

Approved X **Date** 11/17/08

Received from the Mayor 11/21/08

Veto _____ **Not Endorsed** _____

City Clerk _____

Mayor _____

Resolution No. 3 **Date** November 6, 2008
Introduced by Council Member Campana **Motion** McGrath
At the request of Administration **Seconded by** Ryan

RES. #3

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR A MUNICIPAL WASTE REDUCTION AND/OR RECYCLING PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, The State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, THE CITY OF TROY, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

NOW, THEREFORE BE IT RESOLVED by the Troy City Council

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Mayor of the City of Troy is directed and authorized to sign the resulting contract if said application is approved by the STATE and that the Solid Waste Management Coordinator is directed and authorized to act as the official representative of the MUNICIPALITY in connection with the application and to provide such additional information as may be required;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.

4. That five (5) Certified Copies of this Resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-7253, together with ONE complete application.
5. That this resolution shall take effect immediately.

Resolution ADOPTED by the following vote:

Ayes: 9
Noes: 0
Abstain: 0

Troy City Clerk

Executive Action

Sent to the Mayor 11/07/2008

Approved X Date 11/10/08

Received from the Mayor 11/10/08

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

Resolution No. 4 Date November 6, 2008

Introduced by Council Member Campana Motion Ryan

At the request of Administration Seconded by Brown

RES. #4

RESOLUTION APPOINTING RICHARD HANFT, ESQ. TO THE POSITION OF LEGISLATIVE ASSISTANT TO THE CITY COUNCIL

WHEREAS, Victor DeBonis, Esq. resigned his position as Legislative Assistant to the City Council, effective October 17, 2008, and

WHEREAS, the City Council of the City of Troy, pursuant to Charter C-11, is authorized to appoint a Legislative Assistant to the City Council, to serve at the pleasure of the City Council, and

WHEREAS, the City Council desires to appoint Richard Hanft, Esq. to the position of Legislative Assistant to the City Council with an annual salary of Fifteen Thousand Dollars (\$15,000).

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Troy hereby appoints Richard Hanft, Esq. to the position of Legislative Assistant to the City Council with an annual salary of Fifteen Thousand Dollars (\$15,000).

the fire engine and ambulance assigned to that station; and

WHEREAS, in recent years the RPI campus has increased its footprint by over 700,000 square feet of classroom, entertainment and sports venues in our city, it also houses 230 laboratories in 9 buildings that contain an array of potentially dangerous chemicals; and

WHEREAS, since January 2000 the number of calls that Fire Station NO. 2 responds to annually has increased by 56%, a workload at least partially attributable to the considerable needs of the RPI campus; and

WHEREAS, the increased workload of an understaffed Fire Station NO. 2 results in other stations answering calls in their district and adds minutes to the response time for emergency services; and

WHEREAS, the City Council of the City of Troy believes it is imperative to the safety of our residents that Fire Station NO. 2 be staffed by 5 firefighters per shift in order to fully man the equipment assigned to that station; and

WHEREAS, in a recent statement released by RPI, the college claims it has never been presented with a "formal request" for financial assistance to fully staff Fire Station NO. 2 through the imposition of a public safety fee on its students; and

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Troy hereby requests

1. That within thirty days, Mayor Harry Tutunjian compose and deliver to RPI President Shirley Ann Jackson a written request that the college charge its students a public safety fee.
2. That the fee be specifically allocated to defray the costs of staffing Fire Station No. 2 and of policing neighborhoods surrounding the RPI campus.
3. That the Mayor report to the City Council any response received from the college in regards to this written request.
4. Students who were residents of Troy prior to attending RPI shall be exempt from this fee.

This act shall take effect immediately.

Resolution Amended for add # 4 Exemption:

Ayes: 6
Noes: 3 **Dunne, Zalewski and Bauer**
Abstain: 0

Resolution adopted as Amended:

Ayes: 9
Noes: 0
Abstain: 0

Troy City Clerk

Sent to the Mayor 11/07/2008
Received from the Mayor _____
 City Clerk _____

Executive Action

Approved _____ **Date** _____
Veto X **Not Endorsed** _____
 Mayor _____