

**REGULAR MEETING  
CITY COUNCIL  
June 4, 2009**

**ROLL CALL:**

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

Local Law No. 3 Date June 4, 2009  
Introduced by Council Member President Campana Motion \_\_\_\_\_  
At the request of Administration Seconded by \_\_\_\_\_

**PUBLIC HEARING SET TO BE HELD  
ON THURSDAY, JULY 9, 2009 AT 6:45 P.M.**

**LOCAL LAW #3**

**LOCAL LAW NO. 3(INTRO #3 FOR 2009) APPROVING THE ESTABLISHMENT OF  
THE BUSINESS IMPROVEMENT DISTRICT (“BID”)**

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

**SECTION 1:** The City of Troy shall adopt the establishment of a Business Improvement District pursuant to the District Plan made available to the public pursuant to Resolution # 5 of November 6, 2008 and/or presented in a public hearing conducted on April 30, 2009; and

**SECTION 2:** Notwithstanding any provision in the District Plan, The BID assessment rate of 5% times City taxes shall be permanently capped and cannot be changed or modified.

**SECTION 3:** This act shall become effective only upon compliance with Section 980 (g) of the General Municipal Law.

Ordinance No. 1 Date June 4, 2009  
Introduced by Council Member President Campana Motion Zalewski  
At the request of Administration Seconded by Dunne

**ORD # 1**

**ORDINANCE AMENDING TROY HOME PROJECT # CD2072-5175 AND TROY HOME  
PROJECT # CD2072-5174 TO TRANSFER FUNDS FROM THE HOME BUYER’S  
INCENTIVE PROGRAM ALLOCATION INTO THE CHDO  
SET-ASIDE CONSTRUCTION PROJECT**

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

**Section 1.** Ordinance amending the Troy home project # CD2072-5175 and # CD2072-5174 which transfers funds from the Home Buyer’s Incentive Program into the CHDO set-aside project as provided in Schedule “A” entitled:

**“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 6/05/2009                      Approved   X   Date 6/8/09**  
**Received from the Mayor 6/8/09              Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_**  
**City Clerk \_\_\_\_\_                                      Mayor \_\_\_\_\_**

**City of Troy  
City Council Action  
Memorandum In Support**

**TITLE:** Ordinance transferring the unused balance of \$78,405.00 from the HOME BUYER’S INCENTIVE program #CD2072-5175 into the Troy CHDO Set-Aside Project # CD2072-5174.

**SUMMARY OF PROVISIONS:**

The purpose of this amendment is to commit unused HOME funds into a project with a specific address in order to avoid losing the funds due to non-commitment within 2 years of the original date of the allocation. Due to a decrease in homebuyer’s within the last year, we are unable to commit these funds through the Homebuyer’s Incentive Program. Therefore, we are transferring the balance of HIP funds into the CHDO Set-Aside Project and are able to commit as soon as the transfer is approved.

**PRESENT LAW:** HUD regulations require that HOME transfers of this nature be authorized by the City Council.

**FISCAL IMPACT:** No negative impact on the City general fund or on City programs/projects is expected.

**COUNCIL COMMITTEE:** Finance

SCHEDULE A  
CD BUDGET AMENDMENT

Department	Account No.	Description	Original Budget**	Change (+ / -)	Revised Budget
CD/Housing					
HOME	CD2072-5175	Homebuyer's Incentive Program	\$ 250,000.00	(78,405.00)	\$171,595.00
HOME	CD2072-5174	CHDO Set-Aside Project	\$ 100,000.00	78,405.00	\$178,405.00
				<u>\$0.00</u>	

Ordinance No. 2 Date June 4, 2009  
Introduced by Council Member President Campana Motion Galuski  
At the request of Administration Seconded by Ryan

ORD # 2

**ORDINANCE AMENDING THE FEDERAL ASSET FORFEITURE SPECIAL REVENUE ACCOUNT TO TRANSFER BALANCES BETWEEN BUDGET LINES AND 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 transfer funds between lines and receive an additional \$20,000 in revenue from the Federal Asset Forfeiture Account, and appropriate funds within as provided in Schedule "A" entitled:

"June Federal Asset Forfeiture 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 6/05/2009 Approved X Date 6/8/09

Received from the Mayor 6/8/09  
 City Clerk \_\_\_\_\_

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

MEMO IN SUPPORT

**Title:** Ordinance amending the Federal Forfeiture Special Revenue Account to transfer balances between lines as needed and recognize an additional \$20,000 in revenue and appropriate said funds.

**Summary of Provisions:** This legislation will allow for an acceptance of funds from the Federal Asset Forfeiture Account (\$20,000) to appropriate said funds. This legislation will also transfer a residual balance of \$4,813.50 from CD8298-303 to CD 8298-203 and CD8298-202. The result of this budget amendment will yield account CD8298-202 \$64,524.50 for the purchase of new police vehicles and vehicle equipment, CD8298-203 \$150,000. toward the purchase of a elevator for the Troy Police Department building, and will close out the unencumbered balance of CD8298-303.

**Present Law:** N/A

**Purpose:** This request for action by the City Council reflects the receipt of \$20,000 Additional Federal Asset Forfeiture monies to support the purchase of additional police vehicles.

**Fiscal Impact:** Amending the Federal Forfeiture special revenue account to recognize receipt of additional revenues in the amount of \$20,000 and transferring between lines as needed.

2009

June Federal Asset Forfeiture Budget Amendment

Department	Account No.	Description	Original Budget*	Change (+ / -)	Revised Budget
Federal Asset Forfeiture Account	CD8298-0202-0000	Vehicles and Vehicle Equipment	41,696.30	2,828.20	44,524.50
Federal Asset Forfeiture Account	CD8298-0203-0000	Other Equipment	148,014.50	1,985.50	150,000.00
Federal Asset Forfeiture Account	CD8298-0303-0000	Materials and Supplies	4,813.70	-4,813.70	0.00
<b>Total</b>				<b>\$0.00</b>	

\*Unencumbered Budget

Special Revenue

**Revenue - CD510**      CD2620      Forfeitures of Deposit      120,000.00      20,000.00      140,000.00

**Expenditures - A960**      CD8298-202-000      Vehicles and Vehicle Equipment      44,524.50      20,000.00      64,524.50

Federal Asset Forfeiture Account

Ordinance No. 3 Date June 4, 2009  
Introduced by Council Member President Campana Motion Zalewski  
At the request of Administration Seconded by Ryan

ORD. # 3

**ORDINANCE AUTHORIZING SETTLEMENT OF CLAIM, TO WIT:  
MARILYN SIMMONS AND ARTHUR DORING V. CITY OF TROY,  
INDEX NO.: 221960**

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

Section 1. On November 4, 2004, the City of Troy was served with a Summons and Complaint by Marilyn Simmons and Arthur Doring, alleging several causes of action therein. On November 15, 2004, the City of Troy served a Verified Answer denying those allegations. A copy of both the Complaint and Answer are attached hereto as Schedule "A" and made a part hereof.

Section 2. The City of Troy Council authorizes the office of the Corporation Counsel to settle the above litigation pursuant to the terms and in the amount identified in the attached Memorandum of Support. The Corporation Counsel shall obtain a Stipulation of Discontinuance and General Release in full satisfaction of the claim prior to payment.

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.

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 6/05/2009 Approved X Date 6/8/09  
Received from the Mayor 6/8/09 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
City Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

**MEMORANDUM IN SUPPORT**

On November 4, 2004, the City of Troy was served with a Summons and Complaint by Marilyn Simmons and Arthur Doring, alleging several causes of action, as defined in the attached Verified Complaint. The City served a Verified Answer denying all claims and presenting several affirmative defenses. All discovery was completed, the note of issue –certificate of trial readiness– was filed and the matter was scheduled for trial on May 11, 2009.

On May 11, 2009 after jury selection was completed Ms. Simmons and Mr. Doring (hereinafter "Plaintiffs") and the City of Troy (hereinafter "Defendant") entered in to discussions and negotiations before the Honorable John Egan, Justice of the Supreme Court to determine if this

matter could be settled. As a result of the conference, and after lengthy discussions therein with the Court and the Plaintiffs, the parties entered into a proposed settlement agreement. Under the terms of the proposed settlement agreement, the City of Troy conditionally agreed to pay Plaintiffs the sum of \$22, 500.00 in full satisfaction of any and all claims, as offered in the Verified Complaint, and is made without any admission of guilt or liability on behalf of the Defendant. The proposed settlement is conditioned upon approval from the City Council and approval from the Mayor.

The above-entitled matter has been adjourned so as to allow the City Council to approve the settlement.

Ordinance No. 4 Date June 4, 2009  
Introduced by Council Member President Campana Motion Brown  
At the request of Administration Seconded by McGrath

ORD # 4

**ORDINANCE AMENDING THE 2009 CITY BUDGET TO ACCEPT INSURANCE FUNDS FOR REIMBURSEMENT BY PROGRESSIVE NORTHEASTERN INSURANCE FOR THE PURPOSE OF REPAIRING A CITY OF TROY POLICE VEHICLE INVOLVED IN AN ACCIDENT**

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

Section 1. The City of Troy 2009 Budget is hereby amended to accept insurance funds paid to the City by Progressive Northeastern Insurance Company for damages to a City of Troy Police Department vehicle and appropriating those funds to the Police vehicle repair line to cover repair costs as per the attached Schedule "A" entitled:

"Police Vehicle Insurance Recovery - June"

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 6/05/2009 Approved X Date 6/8/09  
Received from the Mayor 6/8/09 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
City Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

## Memorandum in Support

**Title:** Ordinance amending the 2009 city budget to accept insurance funds paid to the City resulting from damages to a Police City Vehicle and appropriating those funds for the purpose of repairing the vehicle.

**Summary of Provisions:** This request for action by the City Council authorizes the City to receive insurance funds in the amount of \$220.92 for the Police Department and to appropriate said funds for repair of the damaged vehicle.

**Present Law:** The 2009 City Budget does not reflect the receipt and expenditure of the \$220.92 in insurance proceeds.

**Fiscal Impact:** None.

**Council Committee:** Finance.

### SCHEDULE A City of Troy 2009 Budget Amendment

#### Public Safety - Police Police Vehicle Insurance Recovery

	Original * <u>Budget</u>	<u>Change</u>	Revised <u>Budget</u>
<b>2009 Budget Amendment</b>			
<b><u>General Fund</u></b>			
<b>Revenue - A510</b>			
A1000-2680-0000 Insurance Recoveries	10,000.00	220.92	10,220.92
<b>Total Revenue Increase</b>		<u><u>220.92</u></u>	
<b>Expenditures - A960</b>			
A3120-0304-0058 Vehicle Expense Repairs	40,000.00	220.92	40,220.92
<b>Total Expenditure Increase</b>		<u><u>220.92</u></u>	

\* or as previously amended

5/1/2009

Ordinance No. 5 Date June 4, 2009  
Introduced by Council Member President Campana Motion McGrath  
At the request of Administration Seconded by Dunne

ORD # 5

**ORDINANCE AMENDING THE 2009 CITY BUDGET TO ACCEPT FUNDS FROM THE  
RENSSELAER COUNTY DISTRICT ATTORNEY'S OFFICE FOR SERVICES RELATED  
TO REIMBURSEMENT OF TRAVEL EXPENSES INCURRED BY THE CITY OF TROY  
DETECTIVE BUREAU RELATED  
TO PEOPLE VS. BURKETT CASE # 19387**

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

Section 1. The City of Troy 2009 budget is herein amended as set forth in Schedule A entitled:

**General Fund 2009 Budget Amendment – Police Department Travel**

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 6/05/2009

Approved X Date 6/8/09

Received from the Mayor 6/8/09

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

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

Mayor \_\_\_\_\_

**MEMO IN SUPPORT**

**Title:** Ordinance amending the 2009 Police Department Operating Budget to amend appropriations.

**Summary of Provisions:** This legislation will accept funds from the Rensselaer County District Attorney's Office in the amount of \$808.22 for the purpose of reimbursing the City of Troy travel expenses incurred by the detective bureau in the People v Burkett case #19387.

**Present Law:** N/A

**Purpose:** The City has accepted and deposited into the General Fund account of "unclassified revenue" an amount equaling \$808.22 for the purpose of reimbursing the Police Department's travel line.

**Overall Budget Fiscal Impact:** None. Revenues and Expenses are adjusted equally.

**SCHEDULE A**  
**City of Troy 2009 Budget Amendment**

**Public Safety - Police**  
**Police Travel Reimbursement**

	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
<b>2009 Budget Amendment</b>			
<b><u>General Fund</u></b>			
<b>Revenue - A510</b>			
A1000-2770-0000			
Other Unclassified Revenue	0.00	808.22	808.22
<b>Total Revenue Increase</b>		<b>808.22</b>	
<b>Expenditures - A960</b>			
A3120-0411-0000			
Travel	50,000.00	808.22	50,808.22
<b>Total Expenditure Increase</b>		<b>808.22</b>	

\* or as previously amended  
05/01/2009 DW

**Ordinance No.** 6 **Date** June 4, 2009  
**Introduced by Council Member** President Campana **Motion** Galuski  
**At the request of** Administration **Seconded by** Dunne

**ORD # 6**

**ORDINANCE AMENDING THE 2009 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 2009 GENERAL, WATER, AND SEWER FUNDS budgets is herein amended and set forth in Schedule A entitled:

**June 2009 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:** 9  
**Noes:** 0  
**Abstain:** 0

**Troy City Clerk**

**Executive Action**

Sent to the Mayor 6/05/2009  
Received from the Mayor 6/8/09  
City Clerk \_\_\_\_\_

Approved X Date 6/8/09  
Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
Mayor \_\_\_\_\_

**MEMO IN SUPPORT**

**Title:** Ordinance amending the 2009 General, Water, and Sewer Fund Budgets 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 1<sup>st</sup> and the City Council passes the budget in December. The several hundred expense categories contained in the 2009 budget are estimates of those expenses made in 2008 for 2009.

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.

**2009**  
**June Budget Amendment**

<b>Department</b>	<b>Account No.</b>	<b>Description</b>	<b>Original Budget*</b>	<b>Change (+ / -)</b>	<b>Revised Budget</b>
<b>General Fund</b>					
DPW - Streets	A5110-0303-0000	Materials and Supplies	#####	(20,000)	180,000
DPW - Streets	A5110-0405-0000	Rentals	0	20,000	20,000
<b>Total General Fund Budget Expenditure Increase</b>				<u><b>\$0.00</b></u>	

Ordinance No. 7 Date June 4, 2009  
Introduced by Council Member President Campana Motion Ryan  
At the request of Administration Seconded by Dunne

ORD # 7

**ORDINANCE AMENDING THE 2009 WATER DEPARTMENT BUDGET  
TO ELIMINATE A VACANT SENIOR WATER MAINTENANCE PERSON POSITION  
AND FUND AN ENTRY LEVEL LABORER POSITION AND AN ENTRY LEVEL WATER  
MAINTENANCE PERSON POSITION**

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

Section 1. The 2009 Water Department Budget is herein amended as set forth in "Schedule A" entitled

"WATER FUND POSITION 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: 9  
Noes: 0  
Abstain: 0

Troy City Clerk Executive Action

Sent to the Mayor 6/05/2009 Approved X Date 6/8/09  
Received from the Mayor 6/8/09 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
City Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

**Memorandum in Support**

**Title:** Ordinance amending the 2009 water department Transmission and Distribution budget (F8340) to eliminate a vacant Senior Water Maintenance Person Position and fund a new entry level Laborer position and a new entry level Water Maintenance Person position.

**Summary of Provisions:** This request for action by the City Council authorizes the City to amend the 2009 Water Department budget (F8340-0101) to eliminate a vacant Senior Water Maintenance Person Position and fund a new entry level Laborer position and a new entry level Water Maintenance Person position.

**Present Law:** N/A

**Purpose:** The Chief Water Plant Operator has determined:

**Fiscal Impact:** None – in the 2009 budget the Senior level position was funded at a higher grade and a top step rate. The 2 new positions will both be funded at entry level grades at the starting step for 2009.

Comptroller’s Analysis of the budget indicates that as of May 1, 2009, the total permanent (101) salary dollars necessary to fund the remainder of the year (12/31/09) in this bureau inclusive of the new positions for the rest of the year is \$644,835. As of May 1, 2009 the bureau had \$670,999 available in the permanent salary (101) budget line. Therefore, this action will not have any negative impact on the salary line of this bureau.

**Council Committee:** Finance

**SCHEDULE A**

<b>Water Fund</b>	<b><u>Position</u></b>	<b>Budget</b>	<b>Amendment</b>		<b>Revised</b>
<b>Department</b>	<b><u>Account No.</u></b>	<b>Description</b>	<b>Current Budget</b>	<b>Change (+ / -)</b>	<b>Budget</b>
<b>Water fund</b>					
DPU - Administration	F8340-0101-0000	Senior Water Maintenance Person I	\$44,457	(\$44,457)	\$0
DPU - Administration	F8340-0101-0000	Water Maintenance Person*	\$0	\$16,033	\$16,033
DPU - Administration	F8340-0101-0000	Laborer*	\$0	\$14,303	\$14,303

\* salary funds necessary until end of year (12/31/09)

<b>Perm Salary Savings</b>	<b><u>\$14,121</u></b>
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**Ordinance No.** 8 **Date** June 4, 2009  
**Introduced by Council Member** President Campana Motion Zalewski  
**At the request of** Administration **Seconded by** McGrath

**ORD. # 8**

**ORDINANCE AMENDING ORDINANCE #12 ADOPTED ON MAY 7, 2009 WHICH  
 AUTHORIZED AND DIRECTED SALE OF CITY  
OWNED REAL PROPERTY BY THE PROPOSAL METHOD**

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

Section 1. On May 7, 2009 the Troy City Council adopted Ordinance #12 which authorized and directed the sale of City owned property by the proposal method. Included on the list of properties for sale was 20 120<sup>th</sup> Street, Troy, New York. . Attached hereto and made a part hereof as Exhibit ‘A’ is a copy of Ordinance #12. This property was inadvertently included on the list

Section 2. On April 2, 2009 the City Council had adopted Ordinance #3 which approved the reconveyance of 20 120<sup>th</sup> Street, Troy, New York, which had been taken through the in-rem

foreclosure process, to the previous owners. Attached hereto and made a part hereof as Exhibit 'B' is the City Clerk Certification and Ordinance #3.

Section 3. Ordinance #12, adopted May 7, 2009 is hereby amended so as to remove 20 120<sup>th</sup> Street, Troy, New York from the list of City owned properties available for sale by the proposal method.

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 6/05/2009  
Received from the Mayor 6/8/09  
City Clerk \_\_\_\_\_

Approved X Date 6/8/09  
Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
Mayor \_\_\_\_\_

Ordinance No. 9 Date June 4, 2009  
Introduced by Council Member President Campana Motion Brown  
At the request of Administration Seconded by Zalewski

**ORD. # 9**

**ORDINANCE AMENDING THE 2008 ONE-YEAR ACTION PLAN OF THE  
CONSOLIDATED PLAN TO FUND TWO PUBLIC FACILITY INFRASTRUCTURE  
IMPROVEMENT PROJECTS.**

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

Section 1. Ordinance # 1 adopted by the City Council on May 14, 2008 authorizing the Mayor to make application for funding pursuant to the Housing and Community Development Act of 1974, the McKinney Act Emergency Shelter Grant Program and the Home Investment Partnership Program to fund projects as provided for in a schedule which was attached thereto is amended to fund two additional public facility infrastructure improvement projects as provided for in Exhibit "A" 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 6/05/2009  
Received from the Mayor 6/8/09  
City Clerk \_\_\_\_\_

Approved X Date 6/8/09  
Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
Mayor \_\_\_\_\_

Resolution No. 1 Date June 4, 2009  
Introduced by Council Member President Campana Motion Ryan  
At the request of Administration Seconded by McGrath

**RES. # 1**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE WATER COMMISSIONERS OF THE TOWN OF WATERFORD FOR THE SUPPLY OF WATER TO THE TOWN**

WHEREAS, the United States Environmental Protection Agency will be conducting a dredging project in the Hudson River which may effect the quality and or quantity of water used by the Town of Waterford, and

WHEREAS, the City would like to sell water on a wholesale basis and the Town of Waterford through the Water Commissioners of the Town of Waterford would like to purchase water; and

WHEREAS, the City Administration and the Water Commissioners of the Town of Waterford have negotiated a tentative agreement for the City to supply water to the Town for the duration of the dredging project, subject to the approval of the Board of Water Commissioners and the Troy City Council at a rate of \$1.80918 per one thousand gallons for the period of May 1, 2009 until April 30, 2011 which will increase by the Northeast CPI each May 1 thereafter.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into an agreement on behalf of the City of Troy with the Water Commissioners of the Town of Waterford for the duration of the dredging project, the final content of said agreement to be substantially in the form of the agreement on file in the office of the Corporation Counsel and as attached hereto as schedule "A" and made a part hereof.

**Resolution ADOPTED by the following vote:**

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

Abstain: 0

Troy City Clerk Executive Action

Sent to the Mayor 6/05/2009 Approved X Date 6/8/09  
Received from the Mayor 6/8/09 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
City Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

Resolution No. 2 Date June 4, 2009  
Introduced by Council Member President Campana Motion Zalewski  
At the request of Administration Seconded by Ryan

RES. # 2

**RESOLUTION APPOINTING COMMISSIONERS OF DEEDS FOR THE CITY OF TROY**

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

Troy City Clerk Executive Action

Sent to the Mayor 6/05/2009 Approved X Date 6/8/09  
Received from the Mayor 6/8/09 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
City Clerk \_\_\_\_\_ Mayor \_\_\_\_\_

Resolution No. 3 Date June 4, 2009  
Introduced by Council Member President Campana Motion Zalewski  
At the request of Administration Seconded by Dunne

RES. # 3

**RESOLUTION CONFIRMING THE APPOINTMENT OF CHARLES A. SARRIS AS CORPORATION COUNSEL**

WHEREAS, Section C-51 of the Troy City Charter states that all appointments by the mayor shall be made in writing and filed in the office of the City Clerk; and WHEREAS, Section C-50 of the Troy City Charter states that the mayor's appointments of all department heads shall be subject to confirmation by the City Council; and

WHEREAS, the Troy City Charter states that there shall be a Corporation Counsel; and WHEREAS, the mayor has appointed Charles A. Sarris to the position of Corporation Counsel; and

WHEREAS, Mr. Sarris appears to the City Council to be well qualified for the position of Corporation Counsel.

NOW THEREFORE, BE IT RESOLVED, that the City Council does hereby confirm the mayor's appointment of Charles A. Sarris to the position of Corporation Counsel.

**Resolution ADOPTED by the following vote:**

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

<u>Troy City Clerk</u>	<u>Executive Action</u>
Sent to the Mayor <u>6/05/2009</u>	Approved <u>X</u> Date <u>6/8/09</u>
Received from the Mayor <u>6/8/09</u>	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

Resolution No. 4 Date June 4, 2009  
 Introduced by Council Member President Campana Motion McGrath  
 At the request of Administration Seconded by Dunne

RES. # 4

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF RENSSELAER TO INCREASE THE PUBLIC AWARENESS OF THE DANGERS OF DWI AND TO MAINTAIN A HIGH VISIABILITY OF LAW ENFORCEMENT**

WHEREAS, THE CITY OF TROY AND THE COUNTY OF RENSSELAER ARE INTERESTED IN ENFORCING EXISTING DWI LAWS AND IN DECREASING THE NUMBER OF ALCOHOL RELATED SALES TO MINORS THROUGH SPECIAL COUNTERMEASURE ENFORCEMENT PROGRAMS, AND

WHEREAS, THE PARTIES ARE INTERESTED IN CURBING THE USE AND ABUSE OF ALCOHOL AMONG MINORS, AND

WHEREAS, this goal can be accomplished by increasing public awareness of the dangers of impaired driving by maintaining a high visibility in the law enforcement area, by increasing enforcement to deter the motoring public from driving while impaired, and by enforcing alcohol laws as they relate to minors;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into an agreement on behalf of the City of Troy with the County of Rensselaer to provide special



**WHEREAS**, on the 4<sup>th</sup> day of December 2008 the City Council approved Resolution # 6 which set forth the dates of the Regular Council Meetings and the Finance Committee meetings for calendar year 2009. Those dates are set forth below, and

<b>Regular Council Meetings- 7 p.m.</b>	<b>Finance Committee Meetings- 6 p.m.</b>
January 8, 2009	January 22, 2009
February 5, 2009	February 19, 2009
March 5, 2009	March 19, 2009
April 2, 2009	April 23, 2009
May 7, 2009	May 21, 2009
June 4, 2009	June 18, 2009
<b>July 2, 2009 July 9, 2009</b>	July 23, 2009
August 6, 2009	August 20, 2009
September 3, 2009	September 17, 2009
October 1, 2009	October 22, 2009
November 5, 2009	November 19, 2009
December 3, 2009	December 17, 2009

**WHEREAS**, the City Council desires to change the Regular Council meeting scheduled for July 2, 2009 to July 9, 2009, and

**NOW THEREFORE BE IT RESOLVED**, that the Regular Council meeting scheduled for July 2, 2009 is rescheduled to July 9, 2009 at 7:00 p.m.

**Resolution ADOPTED by the following vote:**

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

Troy City Clerk

Executive Action

Sent to the Mayor 6/05/2009  
 Received from the Mayor 6/8/09  
 City Clerk \_\_\_\_\_

Approved X Date 6/8/09  
 Veto \_\_\_\_\_ Not Endorsed \_\_\_\_\_  
 Mayor \_\_\_\_\_

Resolution No. 6 Date June 4, 2009  
 Introduced by Council Member President Campana Motion Dunne  
 At the request of Administration Seconded by Zalewski

**RES. # 6**

**RESOLUTION AUTHORIZING THE CITY TO ESTABLISH AN ESCROW ACCOUNT FOR FUTURE MONTHLY RENT PAYMENTS TO 1776 SIXTH AVENUE TROY, LLC UNTIL THE LANDLORD UPHOLDS IT'S LEASE OBLIGATION TO FURNISH AND INSTALL AN ELEVATOR IN THE VERIZON BUILDING**

**WHEREAS**, the City of Troy (The Tenant) agreed, in good faith to rent the Verizon Building at 1776 Sixth Avenue in Troy, N.Y. (The Premises) from 1776 Sixth Avenue Troy, LLC (The Landlord); and

**WHEREAS**, the agreement between the tenant and landlord, executed on November 11, 2008, obligated the landlord to install an elevator in the premises on or before March 1, 2009; and

**WHEREAS**, said elevator is essential to providing City services to Troy residents, especially those with physical limitations; and

**WHEREAS**, to date, the landlord has failed to comply with his obligations under the lease since no elevator has yet been installed; now, therefore be it

**RESOLVED**, that the City Council authorizes the Mayor to establish an Escrow Account into which rent payments, commencing with the June 2009 payment, shall be placed and not released to the landlord until the elevator is installed and operation in the premises.

**Resolution ADOPTED by the following vote:**

Ayes: 9  
Noes: 0  
Abstain: 0

**Troy City Clerk**

**Executive Action**

Sent to the Mayor 6/05/2009  
Received from the Mayor 6/8/09  
City Clerk \_\_\_\_\_

Approved \_\_\_\_\_ Date 6/8/09  
Veto \_\_\_\_\_ Not Endorsed X  
Mayor \_\_\_\_\_

Meeting Adjourned 8:28 p.m.