

**TROY CITY COUNCIL  
FINANCE COMMITTEE AGENDA  
April 4, 2019  
5:30 P.M.**

Pledge of Allegiance  
Roll Call  
Public Forum  
Report from the City Council Special Committee on the Creation of a Dog Park  
Preliminary 4th Quarter Financial Report – Deputy Comptroller Andrew Piotrowski

**LOCAL LAWS**

---

**ORDINANCES**

26. Ordinance Authorizing And Ratifying The Employment Memorandum Of Agreement By And Between The City Of Troy, New York And The City Of Troy Command Officers Association (COATS) And UPSEU (Council President Mantello) (At The Request Of The Administration)

---

**RESOLUTIONS**

23. Resolution To Proclaim April 2019 As Autism Awareness Month In The City Of Troy (Council President Mantello)

24. Resolution Appointing Commissioners Of Deeds For The City Of Troy (Council President Mantello)

25. Resolution Authorizing The Deputy Mayor To Execute A Contract With The Chazen Companies To Design Five Riverfront Sites (Council President Mantello) (At The Request Of The Administration)

26. Resolution Of City Council Approving Home Rule Request Regarding Amendment Of New York State Tax Law And Authorizing Forwarding Of Same To New York State Legislature (Council Member Cummings) (At the Request of the Administration)

27. Resolution Appointing Debra Garrett To The Vacant City Council Position (Council Member Cummings)

---

## **TABLED LEGISLATION 2019**

2. Bond Resolution Of The City Of Troy, New York, Authorizing The Issuance Of An Additional \$300,000 Serial Bonds To Finance The Rehabilitation Of Powers Park. Tabled 7 ayes, 0 nos, Finance Meeting, January 10.

23. Ordinance Amending The Special Grants Fund Budget (Council Member Cummings) (At The Request Of The Administration) Ordinance passed 3 ayes, 1 no (Mantello). Motion to reconsider passed 4 ayes, 0 nos. Ordinance tabled 4 ayes, 0 nos. Finance Meeting, March 21.

25. Ordinance Approving Settlement Of Tax Certiorari Proceedings Instituted By 19-25 Second Street LLC On The Assessment Roll Of The City Of Troy (Council President Mantello) (At The Request Of The Administration) Ordinance tabled 4 ayes, 0 nos. Finance Meeting, March 21.

**ORDINANCE AUTHORIZING AND RATIFYING THE EMPLOYMENT  
MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF TROY, NEW  
YORK AND THE CITY OF TROY COMMAND OFFICERS ASSOCIATION (COATS)  
AND UPSEU**

---

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

**Section 1.** The City of Troy, New York and the City of Troy Command Officers Association and UPSEU have successfully negotiated the terms of a “Memorandum of Agreement” extending the Labor Agreement which expired December 31, 2017, which “Memorandum of Agreement” is attached hereto as Exhibit “A” and made a part hereof.

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

Approved as to form March 29, 2019

---

James A. Caruso, Corporation Counsel

City of Troy Proposal to the Troy COAT/UPSEU

March 28, 2019

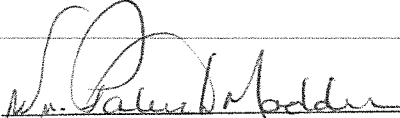
1. Unless otherwise specified, all items in the current bargaining agreement remain the same.
2. The term of the contract will be from January 1, 2018 through December 31, 2019.
3. The City agrees that the only file kept for each COAT/UPSEU personnel will be a personnel file maintained by the City of Troy Police Department and City of Troy Personnel Department. A separate file may be maintained by Internal Affairs for officers under investigation.
4. A salary increase annually in the below years of:
  - a. 2018 0%
  - b. 2019 \$3,812 effective 01/01/2019
5. Effective January 1, 2019 an increase of \$3,000 to the annual stipend received by members increasing the amount from \$4,700 to \$7,700. (Amended from the mediation settlement agreement dated August 29, 2012, paragraph 2.)
6. The parties agree to negotiate processes, procedures and hearings for handling GML 207-C applications.
7. The City agrees that it shall pay the monthly premium/premium equivalent cost for health insurance (single or family, as may be applicable) for the spouse of a COATS/UPSEU member upon the COATS/UPSEU member's death after retirement or if he or she is killed in action with the City. The City's obligation to provide continued coverage to the spouse of the COATS/UPSEU member shall automatically terminate: (1) upon the spouse's enrollment in Medicare, which enrollment is required and an essential obligation of the spouse in order to receive this benefit; (2) upon the spouse getting remarried; or (3) upon the spouse otherwise being covered by any other health insurance, whichever is earliest. Provided the spouse remains eligible for coverage as described herein, the City will provide the spouse of the COATS/UPSEU member with a Medicare Advantage Plan or other plan upon his or her enrollment in Medicare.
8. Article VII-7 shall be amended to be read as "The complete interrogation of the member shall be recorded mechanically or by a department stenographer. There will be no "off-the-record" questions. All recesses called during the questioning shall be recorded. Interrogation records shall be the property of the City of Troy, but a copy will be made available to the Association and/or to the individual upon request within two (2) days of the date it is requested by the Association or the Member. If a stenographer is used then production of the transcript upon request will occur within ten (10) business days of the date it is requested by the Association or the Member."
9. Article X-2-A shall be amended as follows "Officers who are called to testify in court proceedings that are on GML 207-C or any member on extended sick leave (7 or more consecutive calendar days) shall not be paid overtime if that officer was scheduled to work that day, e.g., an officer was assigned to the 2<sup>nd</sup> platoon and their squad was working that specific day. That officer would not be eligible for overtime. If officer's squad was off that specific day or that

officer was assigned to the 1<sup>st</sup> or 3<sup>rd</sup> platoon, then that officer would still be entitled to overtime compensation. ”

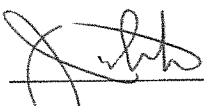
10. Starting January 1, 2019, members will be eligible to take vacation time in four (4) hour blocks instead of the current eight (8).
11. If military leave is extended beyond thirty (30) days then the member shall be entitled to up to 45 days of full paid military leave. Written confirmation from the Commanding Officer needs to be submitted in order to receive the additional fifteen (15) days. (Article XVI, pg. 14 December 7, 1993 contract)
12. The parties agree to develop a written policy regarding use of body-worn cameras by COAT/UPSEU members in conjunction with the development of a written policy between the City of Troy and the Troy PBA. This policy program will identify who will wear the equipment, when the equipment will be utilized along with other procedures and details regarding the body-worn camera program. The COAT/UPSEU further agrees that upon the completion and approval of the written policy by both parties to this Agreement, it commits to the implementation of the body-worn camera program.
13. The parties agree to modify with the Chief of Police, the weekend relief schedule to allow non-patrol captains to bid by seniority and the patrol captains to bid their assigned shifts. The parties also agree that there shall be a release of the Inspectional Services Bureau Captain from the relief schedule.
14. The parties will prepare a new comprehensive document incorporating these changes and any previous individual agreements into the successor collective bargaining agreement.

Agreed upon this 29<sup>th</sup> day of March 2019.

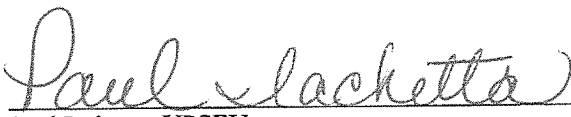
---

  
Wm. Patrick Madden, Mayor

---

  
Joseph L. Centanni, COAT President

---

  
Paul Iachetta, UPSEU

**RESOLUTION TO PROCLAIM APRIL 2019 AS AUTISM AWARENESS MONTH IN THE CITY OF TROY, IN CONJUNCTION WITH NATIONAL AUTISM AWARENESS MONTH AND WORLD AUTISM AWARENESS DAY, APRIL 2, 2019**

---

WHEREAS, each April for the past five decades, National Autism Awareness Month has elevated awareness and educated the public about autism and issues within the autism community; and

Whereas, the City Council continues to be committed to the "Think Differently" initiative to encourage more inclusiveness and accessibility for the developmental disabilities and special needs community; and;

WHEREAS, one in 68 children in the United States is affected by autism, Asperger's or Pervasive Developmental Disorder Not Otherwise Specified (PDD-NOS), estimated by the Centers for Disease Control and Prevention (CDC); and

WHEREAS, parents tend to overlook the early signs of autism spectrum disorders, assuming their child is just going through a phase or having an off day; and

WHEREAS, it is important for parents to differentiate these assumptions from the symptoms, which can present in many different forms; and

WHEREAS, Autism is a spectrum disorder, meaning there can be great variation in the way it affects people; each child on the autism spectrum possesses unique abilities, symptoms and challenges, according to autism expert Dr. Willis Holloway; and

WHEREAS, many children on the spectrum often share common core symptoms which include: impaired social interactions, such as reluctance to join group activities at school, not being aware of the needs of others, impaired communication and other impairments; and

WHEREAS, medications are available for some common behavioral symptoms like irritability or anxiety, there are no FDA-approved drugs to treat any of the core symptoms of these conditions; and

WHEREAS, Autism is a disease with significant unmet patient needs and is a complex developmental disability that typically appears during the first three years of life and affects a person's ability to communicate and interact with others; and

WHEREAS, Autism is defined by a certain set of behaviors and is a spectrum disorder that effects individuals differently and to varying degrees; and

WHEREAS, there is no known single cause of autism; in March of 2012, the Centers for Disease Control and Prevention issued their ADDM autism prevalence report which concluded that the prevalence of autism had risen to one in every 68 births in the United States and almost one in 54 boys; and

WHEREAS, it is imperative that there be greater public awareness of this serious health issue, and more must be done to increase activity at the local, State and national levels; now, therefore,

BE IT RESOLVED, that the Troy City Council proclaims April 2019, as Autism Awareness Month in the City of Troy, in conjunction with National Autism Awareness Month.

Approved as to form, April 4, 2019

---

*James A. Caruso, Esq.*, Corporation Counsel

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

---

**BE IT RESOLVED**, that the City Council hereby appoints the following people, as identified in the attached applications hereto and made a part hereof, Commissioners of Deeds for the City of Troy for two-year terms from April 4, 2019 to March 31, 2021.

Laura L. Bauer  
20 Hawthorne Avenue  
Troy, New York 12180

Danielle Burns  
(Business)  
547 River Street, 2<sup>nd</sup> Floor  
Troy, New York 12180

Philip Gordon  
(Business)  
547 River Street, 2<sup>nd</sup> Floor  
Troy, New York 12180

Theresa Russman  
54 Parkview Court  
Troy, New York 12180

Approved as to form, April 4, 2019

---

*James A. Caruso, Esq.*, Corporation Counsel



COMMISSIONER OF DEEDS
Application for Appointment



State of New York
Rensselaer County
City of Troy

To the City Clerk of the City of Troy, New York:

I, Laura L. Bauer (print full name), being duly sworn, hereby make application for appointment to the office of Commissioner of Deeds in and for the City of Troy.

I hereby swear that:

- 1. I am a citizen of the United States, and
2. I am 40 years of age and
3. Check one

[X] checkbox

1. I maintain my fixed and permanent residence at (print address)
20 Hawthorne Ave.
in the City of Troy, New York,

[ ] checkbox

2. I maintain an office or place of business in the City of Troy, at
(print address)
And I maintain my fixed and permanent residence at
in
(town/village) in Rensselaer County.

Applicant sign full name here Laura L. Bauer

On this 19th day of February, 2019, before me appeared

Laura L. Bauer, to me known to be the same person described in and who executed the foregoing instrument and he/she duly acknowledged to me that he/she executed the same and that the information contained therein is true and accurate.

Patricia A. Stevens
Notary Public or Commissioner of Deeds

PATRICIA A. STEVENS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01ST6109993
QUALIFIED IN RENSSELAER COUNTY
MY COMMISSION EXPIRES MAY 24, 2020

Approved on Mar 27, 2019
Troy City Clerk

Proof of Residency: OFFICE USE ONLY
[X] Valid NYS drivers or non drivers license within city limits of Troy
[ ] Valid NYS drivers or non drivers license in Rensselaer County
Business Card or Work ID
Pay stub

COMMISSIONER OF DEEDS
Application for Appointment

State of New York
Rensselaer County
City of Troy



To the City Clerk of the City of Troy, New York:

I, Danielle Burns (print full name), being duly sworn, hereby make application for appointment to the office of Commissioner of Deeds in and for the City of Troy.

I hereby swear that:

- 1. I am a citizen of the United States, and
2. I am 36 years of age and
3. Check one

Empty checkbox for option 1

1. I maintain my fixed and permanent residence at (print address)

in the City of Troy, New York,

Checked checkbox for option 2

2. I maintain an office or place of business in the City of Troy, at 547 River St Troy NY 12180 (print address)
And I maintain my fixed and permanent residence at Polemate Hill Road in Castleton Hudson (town/village) in Rensselaer County.

Applicant sign full name here [Signature]

On this 29 day of January, 2019, before me appeared

Danielle Burns, to me known to be the same person described in and who executed the foregoing instrument and he/she duly acknowledged to me that he/she executed the same and that the information contained therein is true and accurate.

Amy Buchanan
Notary Public or Commissioner of Deeds

Approved on Mar 27, 2019

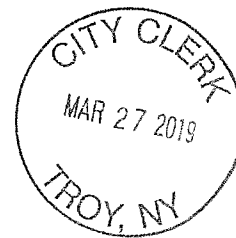
[Signature]
Troy City Clerk

Amy Buchanan
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BU6319524
Qualified in Rensselaer County
Commission expires February 23, 2019

Proof of Residency: OFFICE USE ONLY
[ ] Valid NYS drivers or non drivers license within city limits of Troy
[X] Valid NYS drivers or non drivers license in Rensselaer County
Business Card or Work ID letter from Rens Co. Atty - OK
Pay stub

COMMISSIONER OF DEEDS
Application for Appointment

State of New York
Rensselaer County
City of Troy



To the City Clerk of the City of Troy, New York:

I, Philip Gordon (print full name), being duly sworn, hereby make application for appointment to the office of Commissioner of Deeds in and for the City of Troy.

I hereby swear that:

- 1. I am a citizen of the United States, and
2. I am 37 years of age and
3. Check one

Empty checkbox for option 1

1. I maintain my fixed and permanent residence at (print address)
in the City of Troy, New York,

Checked checkbox for option 2

2. I maintain an office or place of business in the City of Troy, at
547 River Street, Troy, NY 12180 (print address)
And I maintain my fixed and permanent residence at
136 Horizon View Drive in
East Greenbush (town/village) in Rensselaer County.

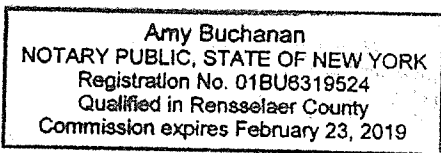
Applicant sign full name here [Signature]

On this 22 day of January, 2019, before me appeared

Philip Gordon, to me known to be the same person described in and who executed the foregoing instrument and he/she duly acknowledged to me that he/she executed the same and that the information contained therein is true and accurate.

[Signature]
Notary Public or Commissioner of Deeds

Approved on Mar 27, 2019
[Signature]
Troy City Clerk



Proof of Residency: OFFICE USE ONLY
[X] Valid NYS drivers or non drivers license within city limits of Troy
[X] Valid NYS drivers or non drivers license in Rensselaer County
[X] Business Card or Work ID letter fr. Rens Co Atty - OK
[X] Pay stub

COMMISSIONER OF DEEDS  
Application for Appointment



State of New York  
Rensselaer County  
City of Troy

To the City Clerk of the City of Troy, New York:

I, Theresa Russman (print full name), being duly sworn, hereby make application for appointment to the office of Commissioner of Deeds in and for the City of Troy.

I hereby swear that:

- 1. I am a citizen of the United States, and
- 2. I am 25 years of age and
- 3. Check one

1. I maintain my fixed and permanent residence at (print address)

541 Parkview Ct Troy NY 12180  
in the City of Troy, New York, 12180

2. I maintain an office or place of business in the City of Troy, at (print address)

And I maintain my fixed and permanent residence at

\_\_\_\_\_ in \_\_\_\_\_ (town/village) in Rensselaer County.

Applicant sign full name here Theresa Russman

On this 15 day of March, 2019, before me appeared

Theresa Russman, to me known to be the same person described in and who executed the foregoing instrument and he/she duly acknowledged to me that he/she executed the same and that the information contained therein is true and accurate.

Notary Public or Commissioner of Deeds

Approved on Mar 18, 2019  
  
Troy City Clerk

REBECCA CLARKSON  
Notary Public, State of New York  
Qualified in Rensselaer County  
No. 04CL6306020  
Commission Expires June 16, 2022

| Proof of Residency:   | OFFICE USE ONLY |
|---|-----------------|
| <input checked="" type="checkbox"/> Valid NYS drivers or non drivers license within city limits of Troy |                 |
| <input type="checkbox"/> Valid NYS drivers or non drivers license in Rensselaer County                  |                 |
| _____ Business Card or Work ID  |                 |
| _____ Pay stub  |                 |

**RESOLUTION AUTHORIZING THE DEPUTY MAYOR TO EXECUTE A CONTRACT  
WITH THE CHAZEN COMPANIES TO DESIGN FIVE RIVERFRONT SITES**

---

**WHEREAS**, the City solicited proposals from qualified vendors to undertake a design study of five sites including Riverfront Park, Green Island Gateway, Marina North, Lansingburgh Waterfront Park and Ingalls Avenue Shoreline Park; and

**WHEREAS**, 6 submissions were received; and

**WHEREAS**, a team led by The Chazen Companies submitted a proposal in response; and

**WHEREAS**, The Chazen Companies was deemed by a review committee to be the most qualified bidder with the most realistic plan and capacity to perform this task in a timely manner;

**NOW THEREFORE BE IT RESOLVED**, that the City Council hereby authorizes the Deputy Mayor to execute a contract with the Chazen Companies, in substantial conformance with the contract attached hereto and made a part hereof.

Approved as to form, April 4, 2019

---

*James A. Caruso Esq.*, Corporation Counsel

**Steven Strichman  
Commissioner**



**Patrick Madden  
Mayor**

**Department of Planning and  
Economic Development**

March 8, 2019

To: City Council  
Re: Comprehensive Plan Implementation: Contractor Selection

From: Steven Strichman, Commissioner of Planning and E.D.

On April 11, 2017, Grant Agreement C1000683 with the New York State Department of State entitled “Comprehensive Plan Implementation” was approved by the Council through Resolution #44. In addition to supporting a comprehensive zoning update, this grant provides funding for services to develop designs and their respective plans that are ultimately taken to construction.

A Request for Proposals was solicited for the production of architectural / engineering drawings and specifications and supporting elements for the following sites:

- **Riverfront Park Front Street** - creation of a plan to repurpose the area around the current Uncle Sam Bus Stop as it relocates into the Uncle Sam parking garage building;
- **Green Island Bridge Gateway** - to serve as the main gateway into the city;
- **Marina North** - extend the Riverfront Park North plan from just north of the Green Island Bridge to the area immediately past Hoosick Street, with the ultimate goal of continuing a pedestrian connection from the downtown area to the planned Ingalls Avenue Boat Launch; and
- **Lansingburgh Waterfront Park** - expansion of the park north of the existing boat dock and launch with a new ribbon park at 123<sup>rd</sup> Street extending to 126<sup>th</sup> Street / Waterford Bridge.

An alternate in the RFP was the **Ingalls Avenue Shoreline Park**, a narrow area stretching across the Hudson River shoreline from Middleburgh Street to Ingalls Avenue as an adjunct to the planned Ingalls Avenue Boat Launch.

The six responses were received as follows:

|                                    | <u>Base Bid</u> | <u>Alternate</u> |
|------------------------------------|-----------------|------------------|
| - Joy Kuebler, Landscape Architect | \$ 321,503      | \$ 60,382        |
| - NY/CPL Architecture Engineering  | \$ 47,325       | \$ 5,576         |
| - Weston & Sampson                 | \$ 150,800      | \$ 40,550        |
| - Maser Consulting                 | \$ 196,418      | \$ 38,816        |
| - CHA Consulting, Inc.             | \$ 150,400      | \$ 44,500        |
| - The Chazen Companies             | \$ 126,000      | \$ 32,000        |

An evaluation was performed by Planning Department staff Steve Strichman, James Rath, and Andrew Kreshik. Review elements considered were approach / plan, key personnel, relevant experience / depth, deliverables, cost relative to work required, familiarity with area / travel, and comfort / trust. Cost relative to work required was further reviewed to assess total project hours proposed versus price extended. The eight project elements with time commitment are site recon, schematic design, public meeting, construction requirement analysis, EQ review, draft final designs, final design docs, and permits.

An analysis of hours committed to each task by each submitter was undertaken. When compared to similar projects the team felt that the NY/CPL did not provide sufficient hours for Public Outreach, Construction Requirements Analysis and Draft Final Designs. As such, this firm's proposal was not considered responsible.

The overall ranking evaluation was as follows:

The second lowest bid was received from the Chazen Companies. Having scored the highest on the response evaluation, and equitably committing almost 1,000 hours toward the work outlined in the grant in the base bid, the team recommends the Chazen Companies be approved for a service contract with the city on this portion of the Comprehensive Plan Implementation grant at the April 4, 2019 City Council meeting.

**RESOLUTION OF CITY COUNCIL APPROVING HOME RULE REQUEST  
REGARDING AMENDMENT OF NEW YORK STATE TAX LAW AND  
AUTHORIZING FORWARDING OF SAME TO NEW YORK STATE LEGISLATURE**

---

**WHEREAS**, the New York State Tax Law does not contain a provision for a City of Troy Hotel and Motel Tax; and

**WHEREAS**, it is the preference of the City of Troy that there be enacted a City of Troy Hotel and Motel Tax; and

**WHEREAS**, the City of Troy desires that the New York State Tax Law be amended to add a provision establishing a City of Troy Hotel and Motel Tax Law in §1202-ff; and

**WHEREAS**, the City of Troy does not have the legislative authority to amend a State law and, as such, an amendment must be enacted by the New York State Legislature; and

**WHEREAS**, the submission of a Home Rule Request to the State Legislature is a prerequisite to consideration by the State Legislature of such a requested amendment to the New York State Tax Law;

**WHEREAS**, such a Home Rule Request must be supported by a majority vote of the Troy City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the attached Home Rule Request seeking to amend the New York State Tax Law is hereby approved by the Troy City Council; and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Troy is hereby authorized to forward the attached Home Rule Request to the State Legislature for its consideration.

Approved as to form, April 4, 2019

---

*James A. Caruso, Esq.*,  
Corporation Counsel



## **MEMORANDUM IN SUPPORT**

Article 9 of the New York Constitution prohibits the State Legislature from passing legislation that affects the property, affairs, and government of a certain specific local governments unless the State Legislature has received a request to pass the legislation from the local government involved. This request is known as a “Home Rule Request” or “Home Rule Message”.

The “Resolution of City Council Approving Home Rule Request Regarding Amendment of New York State Tax Law and Authorizing Forwarding Of Same to New York State Legislature”, is a Home Rule Request to the New York State Legislature by the Troy City Council seeking an amendment to Section 1202-ff of the New York State Tax Law authorizing the City of Troy to implement a Hotel and Motel Tax Law, hereinafter simply referred to as the “City of Troy Hotel Tax”.

The City of Troy Hotel Tax authorizes the collection of a tax from hotels, motels, bed & breakfast establishments, and the like, that are located in the City of Troy and provides a means to generate more revenue from tourism. There are other municipalities throughout the State of New York that have a similar Hotel Tax and the rate assessed by the City of Troy Hotel Tax is certainly within the parameters of the tax rates imposed by those other municipalities.

This particular Legislation has been introduced in the New York State Assembly, A2853 (McDonald), and the New York State Senate, S2622 (Breslin).

As the City of Troy will benefit from the tax revenue generated by the Hotel Tax, it is strongly recommended that this Resolution Approving the Home Rule Request be approved by the Troy City Council.

**RESOLUTION APPOINTING DEBRA GARRETT TO  
THE VACANT CITY COUNCIL POSITION**

---

WHEREAS, the Mayor and the City Council received a written notice of resignation from Council Member Mark McGrath, dated February 4, 2019, resigning his position with the City Council; and

WHEREAS, on February 7, 2019, the City Council declared the Council Position for District 2 to be vacant as a result of the resignation of Councilmember McGrath; and

WHEREAS, under § C-1, Section D of the City Charter, vacancies on the Council are to be filled by appointment by a majority of the incumbent members of the Council; and

WHEREAS, under § C-1, Section D of the City Charter, the term of the person appointed shall be for a term expiring on December 31 of the first year at which the vacancy can be filled in a general election,

NOW THEREFORE BE IT RESOLVED, that

Section 1. The Council hereby appoints Debra Garrett to fill the District 2 Councilmember position for the uncompleted term, commencing immediately and continuing until December 31, 2019.

Section 2. The Resolution is effective immediately upon its adoption.

Approved as to form, April 4, 2019

---

James A. Caruso, Esq.  
City of Troy Corporation Counsel