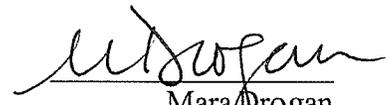# CERTIFICATION

I, Mara Drogan, City Clerk to the City Council of the City of Troy, located in the County of Rensselaer, State of New York, do hereby certify that the attached is an official document of the Troy City Council, the original of which is on file in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the City of Troy on March 18, 2020.

Mara Drogan
City Clerk
City of Troy, New York

(SEAL)

ORDINANCE AUTHORIZING AND RATIFYING THE MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF TROY AND THE CIVIL SERVICE EMPLOYEES ASSOCIATION
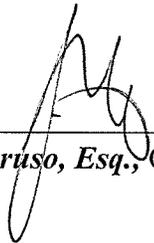
The City of Troy, convened in City Council, ordains as follows:

Section 1.   The City of Troy and CSEA – Troy have successfully negotiated the terms of the "Memorandum of Agreement" dated March 11, 2020 attached hereto as Exhibit "A" and made a part hereof.
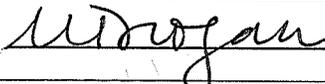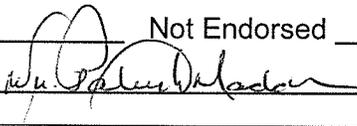
Section 2.   The proposed "Memorandum of Agreement" found in Exhibit "A" herein shall amend the previously executed Collective Bargaining Agreement, valid from January 1, 2018 through December 31, 2020.

Section 3.   This act shall take effect immediately.

Approved as to form, March 18, 2020

James A Caruso, Esq., Corporation Counsel

AYES: 5 NOS: 0 ABSTAIN: 0	ABSENT: 2 (Gulli, Cummings)
Troy City Clerk	**Executive Action**
Sent to Mayor ____March 18, 2020____	Approved __✓__ Date _03-18-2020_
Received from Mayor _3 – 18 – 20_	Veto _____ Not Endorsed _____
City Clerk _[signature]_	Mayor _[signature]_

MEMORANDUM OF AGREEMENT
BETWEEN
THE CITY OF TROY
AND
THE CIVIL SERVICE EMPLOYEES ASSOCIATION,
LOCAL 1000, AFSCME, AFL-CIO
FOR THE CITY OF TROY UNIT
OF THE RENSSELAER COUNTY, LOCAL # 842

The Mayor of the City of Troy (hereinafter "City)" and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, for the City of Troy Unit of the Rensselaer County Local # 842 (hereinafter "CSEA") hereby enter this Memorandum of Agreement to amend the January 1, 2018 through December 31, 2020 Collective Bargaining Agreement (hereinafter "Agreement") between the parties. The terms of this Memorandum of Agreement shall amend the current Collective Bargaining Agreement. Any articles, sections or portions of the Agreement not discussed herein shall continue and remain in the current Collective Bargaining Agreement unless otherwise negotiated. The parties understand and agree that the terms of this Memorandum of Agreement shall not be effective unless and until they are approved by the City of Troy City Council and ratified by the CSEA City of Troy Unit members.

1. **ARTICLE VII RIGHTS OF EMPLOYEES**

   C. UNIFORMS AND LOCKERS

   Uniform Allowance

   In lieu of uniforms, employees engaged in work activities necessitating such wear in the following bureaus shall receive an annual uniform allowance in the amount of a cash payment of four hundred ($400.00) dollars for the purchase of clothing items designated by the City. The City

agrees to pay the four hundred ($400.00) dollars annually to the employees in the first pay period in January. The allowance shall be paid in accordance with applicable I.R.S. regulations. Clothing purchased with the money shall be used during work hours only.

Public Works:	Streets, Sanitation, Facilities, Traffic Control, Parking Enforcement
Public Utilities:	Meter Readers, Water, Sewer
Recreation:	Maintenance

For newly appointed employees, the uniform allowance will be pro-rated based on 1/12 of the total allowance for each month served in the first calendar year. If a new employee's start date is prior to the 15th of any month, he or she will receive the full month's allowance. A new employee who starts on or after the 15th of any month will begin earning the allowance on the first of the subsequent month.

City of Troy

Patrick Madden, Mayor

CSEA for City of Troy Unit

CSEA LRS Angelique Bywater

CSEA City of Troy Unit President, William Wangler, Jr.

Dated: March _11_, 2020

Dated: March _11_, 2020

2

Ordinance No. 22

Resolution No._____

Local Law No._____

Introduced by Mantello at the request of the Administration

Motion/Second: _____ K2 / SS _____

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	X	☐	☐	☐	☐	☐	☐
TOTALS		5	0	0				

Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment:

RESOLUTION SUPPORTING NEW YORK STATE LEGISLATURE BILL A.9952/S.7880 TO PROHIBIT THE INCINERATION OF FIREFIGHTING FOAM CONTAINING PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

WHEREAS, in February of 2020 documents obtained through a Freedom of Information Act Request demonstrated that the company Tradebe had contracted with the United States Department of Defense to incinerate aqueous film forming foams (AFFF) that contain per- and polyfluoroalkyl substances (PFAS); and

WHEREAS, Tradebe sent AFFFs containing PFAS to its Norlite Plant in Cohoes, New York, beginning in 2018; and

WHEREAS, The Norlite Plant then burned an unknown amount of AFFFs containing PFAS in its kilns; and

WHEREAS, AFFFs containing PFAS are specifically designed to suppress fire and PFAS compounds reflect properties of heat resistance; and

WHEREAS, the federal Environmental Protection Agency in its "Technical Brief on Per- and Polyfluoroalkyl Substances (PFAS): Incineration to Manage PFAS Waste Streams" in February of 2020 stated that "PFAS compounds are difficult to break down due to fluorine's electronegativity and the chemical stability of fluorinated compounds. Incomplete destruction of PFAS compounds can result in the formation of smaller PFAS products, or products of incomplete combustion (PICs), which may not have been researched and thus could be a potential chemical of concern" and concluded that "the effectiveness of incineration to destroy PFAS compounds and the tendency for formation of fluorinated or mixed halogenated organic byproducts is not well understood."; and

WHEREAS, PFAS compounds have been found through scientific research to be persistent, bioaccummulative, toxic, and immunosupressive; and

WHEREAS, among other known impacts and risks associated with PFAS exposure, the C8 Science Panel's series of studies involving over 69,000 people living in areas contaminated by PFAS, found links between PFAS exposure and ulcerative colitis, thyroid disease, high cholesterol, pregnancy induced hypertension, testicular cancer, prostate cancer, and kidney cancer; and

WHEREAS more recent studies have also demonstrated that PFAS exposure impacts human fertility, fetal growth, and the development of immune-responses in infants and children; and
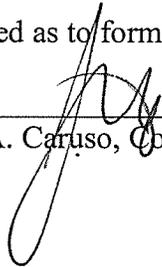
WHEREAS, Troy is within a close distance to Cohoes and may be impacted by emissions of PFAS at the Norlite Plant due to the prevailing winds; and

WHEREAS, the City of Troy, New York is a city that values the health and well-being of all its residents and of those residents of surrounding communities; and

WHEREAS, the City Council believes there is a need for an urgent and immediate response to ensure the health of Troy's residents and their neighborhoods moving forward; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TROY does hereby support A.9952/S.7880 to immediately ban the burning and incineration of firefighting foams.

Approved as to form, March 18, 2020.

_____
James A. Caruso, Corporation Counsel

AYES: 4	NOS: 0	ABSTAIN: 1 (Mantello)	ABSENT: 2 (Gulli, Cummings)

Troy City Clerk	Executive Action
Sent to Mayor ___March 18, 2020___	Approved __✓__ Date _03-18-2020_
Received from Mayor _3-18-20_	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

Ordinance No._____

Resolution No. _34_

Local Law No._____

Introduced by Mantello at the request of the Administration

Motion/Second: _KAM/K2_

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	☐	☐	X	☐	☐	☐	☐
TOTALS		4	0	1	__	__	__	__

Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment:

RESOLUTION TO PROCLAIM APRIL 2020 AS AUTISM AWARENESS MONTH IN THE CITY OF TROY, IN CONJUNCTION WITH NATIONAL AUTISM AWARENESS MONTH, AND WORLD AUTISM AWARENESS DAY, APRIL 2, 2020

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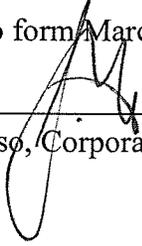
WHEREAS, Autism is defined by a certain set of behaviors and is a spectrum disorder that effects individuals differently and to varying degrees; and

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 2020, as Autism Awareness Month in the City of Troy, in conjunction with National Autism Awareness Month.

Approved as to form March 18, 2020

_____
James A. Caruso, Corporation Counsel

AYES: 5 NOS: 0 ABSTAIN: 0	ABSENT: 2 (Gulli, Cummings)
Troy City Clerk	**Executive Action**
Sent to Mayor ___March 18, 2020___	Approved _✓_ Date _03-18-2020_
Received from Mayor _3 - 18 - 20_	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

Ordinance No._____

Resolution No. _35_

Local Law No._____

Gulli, Steele, KAM, KZ, McD

Introduced by Mantello ~~at the request of the Administration~~

Motion/Second: _____ SS/KAM _____

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	X	☐	☐	☐	☐	☐	☐
TOTALS		5	0	0	__	__	__	__

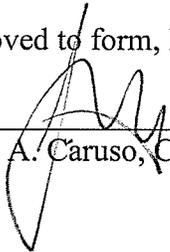Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment: *add sponsor.*

RESOLUTION AUTHORIZING THE CITY CLERK TO SIGN COUNCIL REQUISITIONS AND PAYMENT VOUCHERS ON EMERGENCY BASIS

WHEREAS, during the coronavirus outbreak, the City Council wishes to ensure that vendors continue to be paid for services rendered in a timely manner,

THEREFORE, BE IT RESOLVED, the Troy City Council hereby authorizes the Troy City Clerk to sign Council requisitions and payment vouchers on behalf of the Council President for the next 30 days, provided that the Council President has given prior approval for said requisitions and payment vouchers via email.

Approved to form, March 16, 2020,

_____
James A. Caruso, Corporation Counsel

AYES: 5 NOS: 0 ABSTAIN: 0	ABSENT: 2 (Gulli, Cummings)
Troy City Clerk	**Executive Action**
Sent to Mayor ____ March 18, 2020 ____	Approved __✓__ Date _03-18-2020_
Received from Mayor _3-18-20_	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

TROY CITY COUNCIL VOTING RECORD
Special Meeting - March 17, 2020

Ordinance No._____

Resolution No. 3 6

Local Law No._____

Introduced by Mantello ~~at the request of the Administration~~

Motion/Second: _____ K2 / SS _____

	Absent	Approve Aye	Approve No	Approve Abstain	Table Aye	Table No	Amend Aye	Amend No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	X	☐	☐	☐	☐	☐	☐
TOTALS		5	0	0	___	___	___	___

Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment:

RESOLUTION AUTHORIZING THE CITY TO PROVIDE CITY EMPLOYEES WITH FOURTEEN DAYS OF COMPENSATION FOR QUARANTINING RELATED TO THE CORONAVIRUS

WHEREAS, the federal government has declared a national emergency due to the coronavirus's (COVID-19) effect on public health; and

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) a global pandemic; and

WHEREAS, the Mayor for the City of Troy has declared a State of Emergency in light of the COVID-19 pandemic affecting New York State; and

WHEREAS, the City of Troy City Council seeks to guarantee that the employees of the City of Troy subject to quarantine due to COVID-19 are able to do so without exhausting their accruals in order to assist in ensuring the health of the employee, the workplace, and the public; now, therefore be it

RESOLVED, that the City of Troy shall provide paid leave for all scheduled workdays within a fourteen (14) calendar day period to all City of Troy employees subject to mandatory or precautionary quarantine due to the novel coronavirus, COVID-19. Employees will not charge accruals during the time off from work for quarantine.. This will apply to all City of Troy employees, regardless of civil service classification, bargaining unit, and regardless of part time or accrual status. This resolution does not apply to any employee who is already out of work due to a paid leave of absence or unpaid leave of absence. It also does not apply to those employees with unlimited paid sick time or those employees placed out of work due to a mandatory temporary cut to the workforce so long as he or she remains out of work.

RESOLVED, the paid leave will run from the day after the Rensselaer County Health Department or a medical professional has recommended or ordered that an employee requires quarantine. If an employee scheduled to work discovers during the course of that workday that he or she must quarantine pursuant to the recommendation or order of the Rensselaer County Health Department, then that employee will immediately leave the workplace and will be paid for the remaining hours left for the scheduled day of work.

RESOLVED, that "mandatory quarantine" means a person who has symptoms of COVID-19, has been diagnosed with COVID-19, or has no symptoms but has been within six (6) feet of someone who has tested positive and who has been ordered or recommended to quarantine by the Rensselaer County Health Department or a medical professional. It also means someone who has traveled to China, Iran, Japan, South Korea or Italy and is displaying symptoms of COVID-19. This list may be subject to change in the discretion of the Mayor, based upon circumstances present in Rensselaer County and/or in accordance with Guidance issued by the Centers for Disease Control or New York State Health Department.
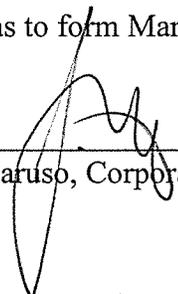
25857890.v1

RESOLVED, that "precautionary quarantine" means someone who has traveled to China, Iran, Japan, South Korea or Italy while coronavirus was prevalent, but is not displaying symptoms or who is displaying symptoms and is suspected as having COVID-19, but has not yet been tested or is awaiting test results and/or further direction from the Rensselaer County Health Department or a medical professional. It also means someone known to have had a proximate exposure to a positive person but may not have had direct contact with a positive person and is not displaying symptoms, and is a person who has been ordered or recommended to quarantine by the Rensselaer County Health Department or a medical professional.

RESOLVED, that this an extraordinary measure due to a declared state of emergency and pandemic. This measure is not to be construed against the City of Troy as a policy and practice for any other future occurrence.

RESOLVED, that this resolution shall not diminish any benefit supplied by the City of Troy as ordered by the State of New York or the federal government pertaining to the subject involved in this resolution.

RESOLVED, that this resolution shall take effect immediately and shall continue while the City remains under a state of emergency.

Approved as to form March 16, 2020

_____
James A. Caruso, Corporation Counsel

AYES: 5 NOS: 0 ABSTAIN: 0	ABSENT: 2 (Gulli, Cummings)
Troy City Clerk	**Executive Action**
Sent to Mayor _____March 18, 2020_____	Approved __✓__ Date _03-18-2020_
Received from Mayor _3-18-20_	Veto _____ Not Endorsed _____
City Clerk _____	Mayor _____

25857890.v1

Memo In Support

This resolution authorizes that in the event a City employee enters into quarantine pertaining to COVID-19 ("the Coronavirus") the City shall provide compensation for any and all full-time employees that are subject to mandatory or precautionary quarantine without having to use their accruals (sick-time) for a period covering fourteen (14) calendar days.

This provision will ensure that employees will not be forced to use their sick-time while out for the purpose of quarantine and also ensures that they will receive full compensation for the 14 day time period.

This policy follows the same practice employed by Governor Cuomo at the state level and this resolution shall only be applicable to quarantines related to the Coronavirus.

Ordinance No._____

Resolution No. _37_

Local Law No._____

Introduced by Mantello at the request of the Administration

Motion/Second: ___K2 / KAM_____

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	X	☐	☐	☐	☐	☐	☐
TOTALS		5	0	0	___	___	___	___

Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment:

RESOLUTION AUTHORIZING CITY EMPLOYEES TO HAVE TIME OFF ACCRUALS RUN A DEFICIT FOR THE PURPOSE OF TAKING TIME OFF FOR MATTERS RELATED TO THE CORONAVIRUS

WHEREAS, the federal government has declared a national emergency due to the coronavirus's (COVID-19) effect on public health; and

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) a global pandemic; and

WHEREAS, the Mayor for the City of Troy has declared a State of Emergency in light of the COVID-19 pandemic affecting New York State; and

WHEREAS, the City of Troy seeks to guarantee that employees of the City of Troy who have deficient accruals but have to take time off during this state of emergency declared by the City of Troy due to the coronavirus be able to take time off;

WHEREAS, the City of Troy also seeks to put in place this measure should an employee exhaust the fourteen (14) calendar paid days off for when an employee is under mandatary or precautionary quarantine; therefore be it

RESOLVED, that the City of Troy shall allow employees to take time off even though they do not have sufficient vacation, sick, personal or compensatory time accruals to sustain the length of time off caused by the coronavirus.
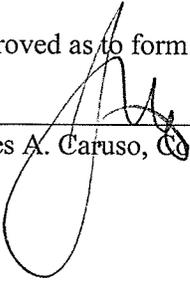
RESOLVED, that employees of the City of Troy exhausting accruals shall be allowed to run a deficit and that such time will be reimbursed to the City of Troy as it is accrued by the employee when that employee returns to work and accrues vacation, sick, personal or compensatory time. This resolution will apply to all City of Troy employees, regardless of civil service classification, bargaining unit, and regardless of part time or accrual status.

RESOLVED, that this an extraordinary measure due to a declared state of emergency and pandemic. This measure is not to be construed against the City of Troy as a policy and practice for any other future occurrence.

RESOLVED, that this resolution shall not diminish any benefit supplied by the City of Troy as ordered by the State of New York or the federal government pertaining to the subject involved in this resolution.

RESOLVED, that this resolution shall take effect immediately and shall continue while the City remains under a state of emergency.

Approved as to form March 18, 2020

_____
James A. Caruso, Corporation Counsel

25861500.v1

AYES: 5	NOS: 0	ABSTAIN: 0	ABSENT: 2 (Gulli, Cummings)

Troy City Clerk

Executive Action

Sent to Mayor ___March 18, 2020___

Approved _✓_ Date _03-18-2020_

Received from Mayor _3-18-20_

Veto _____ Not Endorsed _____

City Clerk _____

Mayor _____

25861500.v1

<u>Memo In Support</u>

This resolution authorizes a full-time City employee who needs to utilize their full accruals for matters related to the Coronavirus to go in to a deficit with the ability to use future accrual earnings to "payback" the deficit. By doing this it will ensure that employees will continue to earn their full earnings during the ongoing pandemic.

One example where this might be the case is if an employee has self-quarantined for 14 calendar days but contracts the virus and is out for a longer period of time which requires using more sick time than they have.

A second instance in where this could occur is for childcare for parents whom child(ren) could be out of school due to the virus.

This resolution would allow the employee to replenish the created deficit upon returning to work.

TROY CITY COUNCIL VOTING RECORD
Special Meeting - March 17, 2020

Ordinance No._____

Resolution No. 38

Local Law No._____

Introduced by Mantello at the request of the Administration

Motion/Second: ____KAm/SS_____

	Absent	Approve			Table		Amend	
		Aye	No	Abstain	Aye	No	Aye	No
Council Member Gulli	X	☐	☐	☐	☐	☐	☐	☐
Council Member McPherson	☐	X	☐	☐	☐	☐	☐	☐
Council Member Steele	☐	X	☐	☐	☐	☐	☐	☐
Council Member Cummings	X	☐	☐	☐	☐	☐	☐	☐
Council Member Zalewski	☐	X	☐	☐	☐	☐	☐	☐
Council Member McDermott	☐	X	☐	☐	☐	☐	☐	☐
Council President Mantello	☐	X	☐	☐	☐	☐	☐	☐
TOTALS		5	0	0	___	___	___	___

Motion to Table/Second: _____

Motion to Amend/Second: _____

Amendment: