

**Minutes of the  
TROY CITY COUNCIL  
FINANCE MEETING  
May 25, 2021  
6:00 P.M.**

Due to the COVID-19 crisis, this meeting was held remotely via videoconference.

The meeting was called to order at 6:03 p.m. by Council President Mantello.

Pledge of Allegiance

**Roll Call:** The roll being called, the following answered to their names: Council Member Gulli, Council Member Ashe-McPherson, Council Member Steele, Council Member Cummings, Council Member Zalewski, Council Member McDermott, Council President Mantello, Chair.

In attendance were Mayor Patrick Madden, Deputy Mayor Monica Kurzejeski, Corporation Counsel Richard T. Morrissey, Comptroller Andrew Piotrowski, Commissioner of Planning & Economic Development Steven Strichman, and Police Chief Brian Owens.

Council Member Zalewski made a motion to dispense with the reading of the minutes of the prior meeting and approve as produced. Motion passed 7 ayes, 0 nos.

**Public Forum:**

The following individuals spoke regarding Ordinance 34:

- Kylie Spinelli
- Rhea Drysdale
- Angela Beallor

The following individuals submitted written comments regarding Ordinance 34, which are appended to these minutes:

- Alexander Stephen Hanse
- Kristoph DiMaria

Comptroller Piotrowski presented the 2020 Annual Update Document Review.

**33. Ordinance Amending Chapters 234 & 247 Of The Troy City Code (Council Member Cummings) (At The Request Of The Administration)**

Ordinance passed 5 ayes, 2 nos (Ashe McPherson, Mantello), 0 abstentions.

**34. Ordinance Amending The 2021 Special Grants Fund Budget (Council President Mantello) (At The Request Of The Administration)**

Mantello made a motion to amend the title from “General Fund” to “Special Grants Fund”; motion passed 7 ayes, 0 nos. Mantello made a motion to amend line item 2 from “1,797,827.00” to “1,824,319.00” and line item 11 from “1,322,827.00” to “1,349,319.00”; amendment passed 7 ayes, 0 nos. Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**35. Ordinance Authorizing The City Of Troy To Accept Grant Funding From The Division Of Criminal Justice Services For Police Equipment And Amending The 2021 General Fund Budget To Appropriate Funding From Said Grant (Council President Mantello) (At The Request Of The Administration)**

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**36. Ordinance Declaring One Hundred Used Self Contained Breathing Apparatus (“SCBA”) Air Cylinders Surplus City Property And Authorizing The Comptroller To Sell The Used SCBA Cylinders For One Hundred Dollars Each (Council President Mantello) (At The Request Of The Administration)**

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**37. Ordinance Transferring Funds Within The 2021 General Fund Budget (Council President Mantello) (At The Request Of The Administration)**

Ordinance passed 6 ayes, 0 nos, 0 abstentions, 1 absence (Steele).

**38. Ordinance Amending The Special Revenue Budget To Accept A NYS Homeland Security Grant For The Purpose Of Purchasing Radios And Related Equipment (Council President Mantello) (At The Request Of The Administration)**

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**39. Ordinance Amending The Capital Projects Fund Budget (Council President Mantello) (At The Request Of The Administration)**

Zalewski made a motion to change line items 1 and 3 from “3,933,067.23” to 2,951,902.67” and line items 2 and 4 from 3,700,000.00” to “3,707,698.87”; motion passed 6 ayes, 0 nos, 1 absence (Steele). Ordinance passed 6 ayes, 0 nos, 0 abstentions, 1 absence (Steele).

**40. An Ordinance Adding Chapter 274 (“Vehicles, Off-Road”) To The Code Of The City Of Troy To Prohibit The Illegal Operation Of Off-Road Vehicles In The City (Council Member Gulli, Council Member Ashe McPherson, Council Member Zalewski, Council President Mantello)**

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**41. Ordinance Authorizing And Directing Transfers Of City Owned Real Property To The Troy Community Land Bank Corporation (Council President Mantello) (At The Request Of The Administration)**

Ordinance was withdrawn by Administration.

**42. Ordinance Amending The 2021 General Fund Budget (Council President Mantello) (At The Request Of The Administration)**

Mantello made a motion to amend “Aide” to “Aid”; motion passed 6 ayes, 0 nos, 0 abstentions, 1 absence (Steele). Ordinance passed 6 ayes, 0 nos, 0 abstentions, 1 absence (Steele).

**43. Ordinance Amending The 2021 Special Revenue Fund Budget (Council President Mantello) (At The Request Of The Administration)**

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**44. Ordinance Authorizing And Directing Sales Of City Owned Real Property By The Proposal Sale Application Method (Council President Mantello) (At The Request Of The Administration)**

Zalewski made a motion to remove 468 2<sup>nd</sup> Street from the list of properties; motion passed 5 ayes, 2 nos (Gulli, Cummings). Ordinance passed 7 ayes, 0 nos, 0 abstentions.

**36. Bond Resolution Of The City Of Troy, New York, Authorizing The Issuance Of \$5,430,955 Serial Bonds To Finance The Reconstruction Of Various Streets In The City (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**37. Resolution Determining That Proposed Action Is A Type II Action For Purposes Of The New York State Environmental Quality Review Act (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**38. Resolution Determining That Proposed Action Is A Type II Action For Purposes Of The New York State Environmental Quality Review Act (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**39. Bond Resolution Of The City Of Troy, New York, Authorizing The Issuance Of \$8,250,000 Serial Bonds To Finance The Street Lighting Replacement Projects (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**40. Resolution Adopting The Congress Street Bridge Study (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**41. Resolution Proclaiming June 2021 To Be Graduates' Month & Designating Saturday, June 5th At 11 Am As The Second Annual Graduates (All Levels) City-Wide Car Parade (Council President Mantello, Council Member Ashe McPherson)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**42. Resolution Recognizing June 2021 As Pride Month In the City Of Troy (Council Member Zalewski, Council President Mantello)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**43. Resolution Appointing A Commissioner Of Deeds For The City Of Troy (Council President Mantello)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**44. Resolution Authorizing The Mayor To Enter Into An Agreement With Oasis Marinas, LLC, For The Provision Of All Services Necessary To Manage And Operate The City Of Troy Marina (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**45. Resolution Authorizing The Mayor To Enter Into An Agreement With RKG Associates Inc To Perform The Analysis Of Impediments To Fair Housing Choice Required By The US Department Of Housing And Urban Development (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**46. Resolution Of Troy City Council Recognizing Juneteenth (Council Member Steele, Council President Mantello)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**47. Resolution Authorizing The Mayor To Enter Into An Amendment Of The Agreement With Chazen Companies For Further Design And Construction Phase Services For The City Of Troy Riverwalk Trail (Council President Mantello) (At The Request Of The Administration)**

Resolution passed 7 ayes, 0 nos, 0 abstentions.

**Adjournment**

The meeting adjourned at 9:37 p.m.

A video recording of this meeting is on file at the City Clerk's office.

## Written Public Comments

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I'm writing to express my concern with Ordinance 38, which intends to " [Amend] The Special Revenue Budget To Accept A NYS Homeland Security Grant For The Purpose Of Purchasing Radios And Related Equipment".

My concerns with the enormous tax expenditure Homeland Security consumes notwithstanding, I am interested in why NYS Homeland Security is granting the city over \$130,000 to spend on radio equipment. It appears, from interactions with officers and their congregate presence at the scene of any call, that they are well-equipped with the latest in portable radios and radio cars. And I can't help but wonder what, as stipulated in the memo associated with the grant, "law enforcement terrorism prevention activities" this grant will be appropriated for that involves radio and associated equipment.

Troy, our city of just under 50,000 people in Upstate New York, does not seem to be a hotbed for terrorist activity of any kind. It seems mostly to be a hotbed of working class and middle class people simply trying to live their lives to the best abilities afforded by themselves and what our society doles out. If there is a terrorist threat in our city, it most likely takes the form of [white nationalism](#), according to the FBI. Given the [well documented, ongoing infiltration](#) of white supremacists into law enforcement agencies throughout the United States, which the FBI has warned about for decades to deafening silence from within the law enforcement community and the governing bodies which govern those law enforcement agencies, it is imperative to assess the resources which we provide them to ensure they are being utilized responsibly and towards real, intrinsic threats, and not simply funding and supplying those individuals who may seek to perpetrate violence against individuals in our community.

The relationship between many of the members of the community and the Troy Police Department is understandably tense, as some neighborhoods within our city are served by the police, while others are simply policed, leading to unfavorable and unnecessary interactions that only serve to deepen the divide within our community. So again I ask, what is almost \$100,000 of Homeland Security grant money potentially buying the Troy Police Department?

### **I fear that it may be encrypted police radio and scanner equipment.**

If the Troy Police Department, and the City Council that approves of it's enormous budget expenditure and its operation, is to appear legitimate in responding to calls for openness and transparency from the community, you must vote no on Ordinance 38 if there is any possibility the funds will be used to purchase equipment that is expressly used to obscure the actions of law enforcement personnel from the public.

The police scanner, for those on the Council who may be unaccustomed to listening to one, is already soft-encrypted through the use of numerical codes (for simplicity's sake, chiefly) to direct officers to and from their calls. **The scanner is a valuable source of information for members of the community to learn what law enforcement activities are occurring in their neighborhood, which we all as citizens have a right to know.** When we see an enormous police response, as TPD is wont to do for almost every call they receive, we have a right to know if our lives and livelihood are in any immediate danger from threat of violence or other

destruction, and outside of rumor the only official, constantly updated source of information is the police scanner.

**The City Council must take a conservative approach to appropriating any new sources of funds for the Troy Police Department to ensure that what shaky transparency in place is maintained, before it can be improved.** Allowing the TPD to purchase encrypted radio and scanner equipment will not serve any "counterterrorism" activities in our city, which I also imagine our police department is almost entirely untrained for and woefully inadequate at conducting, and only allow the fantasy of "urban warriors" our law enforcement officers maintain to fester. **We need open, transparent, honest, and integral police officers, not individuals consumed with roleplaying under the guise of body armor, weapons, and military equipment.**

Thank you for taking the time to read this.

Warmest regards,

Alexander Stephen Hanse

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I am writing in regards to obtaining explicit clarification on Ordinance 38 relating to the City of Troy's allocation of funds awarded to the city by the NYS Homeland Security Grant. I understand that this Ordinance is on the docket for tonight's Finance Meeting. The language of the documents surrounding Ordinance 38 appear vague and/or incomplete in a satisfactory explanation of how and exactly on what the \$130,271.00 is to be spent, and furthermore those purchases and training will be used.

My primary concern is transparency between the City of Troy and the public. In this particular instance, I am especially concerned with the recently acquired information that the city may be planning to encrypt certain emergency radio transmissions previously available to the public through the use of a scanner. While I can understand the desire to encrypt certain sensitive information, the public needs to be informed about explicitly how this will be done and what communications may be encrypted.

We also need you to include us as an essential part of the process in determining how public funds, grants, and other sources of income for the city are used. Given the context concerning the PRRC, et al. I feel it is imperative as our governing body and law enforcement agency that you work towards upholding a satisfactory practice of transparency, honesty, and integrity on these and all matters of city business. A demonstration of competency and inclusion is essential to retaining the support of your constituents. There is always room for improvement.

Please review and respond to the questions below in specific detail to the best of your abilities.

1. What are the current and future known security risks the City is trying to mitigate with this grant? Please point to City specifics based on evidence to date as well as priorities from Homeland Security and the State.
2. Beyond the equipment and training requests, how will the City be using this grant?

3. Will this funding be used to encrypt Troy Police communications?

If encryption will occur:

4. ...will this be across the entire communications network for the City of Troy?
5. ...what specific operations and channels will encryption be used for?
6. ...will the fire department and ambulances be included?
7. ...will other agencies and neighboring cities have access?
8. ...since dispatch is at the County level, will all emergency operations and public safety be encrypted for Rensselaer County?
9. ...will the media still have access? If yes, will they be required to pay for their own access?
10. ...will the City be granting access to encrypted communications to any additional community members like Sidewinder?
11. ...how do you believe this impacts the community's trust in policing? (Especially in the same week as a lawsuit from the NYCLU over TPD not disclosing the misconduct records of officers.)
12. ...what are the risks to the community in encrypting communications? How will this impact mutual aid efforts and public safety?

Other questions:

13. Troy, Schenectady and Albany have been labeled as high-risk urban areas meriting this funding for counterterrorism efforts. Please share specific programs and efforts TPD has implemented and will be implementing to ensure the protection of the community relative to the grant's required investments in 1) intelligence and information sharing, 2) cyber security, 3) emerging threats, 4) soft targets and crowded places, and 5) domestic violent extremism.

14. How will encrypted communication address the aforementioned 5 areas?

15. Will the City be applying to future Homeland Security Grant Programs?

16. Has the City already applied for additional Homeland Security grants earmarked for the Urban Area Security Initiative or State Homeland Security Program?

17. Why did the City choose to purchase this equipment rather than more urgent needs for emergency response from FEMA's Authorized Equipment List?

I appreciate your time and attention to this effort. I look forward to your response.

Clarifyingly,  
Kristoph DiMaria