

**Minutes of the
TROY CITY COUNCIL
FINANCE MEETING
April 21, 2022
6:30 P.M.**

The meeting was called to order at 6:43 p.m. by Council President Mantello.

Roll Call: The roll being called, the following answered to their names: Council Member Gulli, Council Member Ashe-McPherson, Council Member Steele, Council Member Menn, Council Member Conley-Wilson, Council Member Sorriento, Council President Mantello, Chair.

In attendance were Mayor Patrick Madden, Deputy Mayor Chris Nolin, Corporation Counsel Richard T. Morrissey, Comptroller Andrew Piotrowski, City Engineer Aaron Vera, Commissioner of Planning & Economic Development Steven Strichman Approximately 8 members of the public attended.

Public Forum:

- Bill Walsh
- Patrick Lafortune
- Jessica Bennett
- Mickey Dobbin
- Dara Silberman
- David Banks

16. Ordinance Amending The Fund Balance Policy Of The City Of Troy's General Fund (Council President Mantello) (At The Request Of The Administration)

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

17. Ordinance Amending The Capital Projects Fund And Water Fund Budgets (Council President Mantello) (At The Request Of The Administration)

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

18. Ordinance Authorizing And Approving The Filing Of The City Of Troy's 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, And Designating The Mayor As The Authorized Representative Of The City For Such Purposes (Council President Mantello) (At The Request Of The Administration)

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

19. Ordinance Transferring Funds Within The 2022 Water Fund Budget (Council President Mantello) (At The Request Of The Administration)

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

20. Ordinance Appropriating Funding From The General Fund Capital Reserve For The Purpose Of Making Improvements To The Department Of Public Works' Facilities And Amending The General Fund And Capital Projects Fund Budgets To Appropriate Such Funding (Council President Mantello) (At The Request Of The Administration)

Ordinance passed 7 ayes, 0 nos, 0 abstentions.

49. Resolution Endorsing A Community Development Block Grant-Cv Funding Application By Unity House Of Troy, Inc., To Be Awarded By NYS Homes And Community Renewal (Council President Mantello)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

50. Resolution Authorizing The Mayor To Submit The City Of Troy's Annual One Year Action Plan Of The Five Year Strategic Consolidated Plan To The U. S. Department Of Housing And Urban Development (Council President Mantello) (At The Request Of The Administration)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

51. Resolution Authorizing The Mayor To Enter Into An Agreement With Grassland Equipment And Irrigation Corp. For The Purchase Of A New Ventrac 4500 Series Mower Under The Sourcwell Consortium Toro Company Contract #0321121-Ttc (Council President Mantello) (At The Request Of The Administration)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

52. Resolution Authorizing The Mayor To Enter Into An Agreement With Altec Industries, Inc. For The Purchase Of A New Aerial Lift Truck Under The Sourcwell Consortium Altec Contract #012418-Alt And The New York State Ogs Contract #Pc68526 (Council President Mantello) (At The Request Of The Administration)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

53. Resolution Authorizing The Mayor To Enter Into An Agreement With Eagle Wireless Communications, Llc, For The Purchase Of Fifteen Geotab Geolocating Devices And A One Year Subscription For Data Services Under The Sourcwell Consortium Geotab Contract #020221-Geo (Council President Mantello) (At The Request Of The Administration)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

54. Resolution Authorizing The Mayor To Enter Into An Agreement With Shi International Corp. For The Purchase Of Civic Plus Government Content Management Software And Associated Product And Service Package Under The Sourcwell Consortium Shi Contract #081419-Shi (Council President Mantello) (At The Request Of The Administration)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

55. Resolution Of Lead Agency Pursuant To The New York State Environmental Quality Review Act Declaring Whether A Proposed Amendment To The City Of Troy Zoning Map Changing The Zoning Classification Of Property Known As 1011 Second Avenue, Tax Parcel Number 70.64-1-1, From "R-1" Single Family Residential To "P" Planned

Development Will Have Significant Adverse Impacts On The Environment (Council Member Gulli)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

56. Resolution Of The Troy City Council Scheduling A Public Hearing To Be Held In Connection With The Proposed Zoning Change Of 1011 Second Avenue From “R-1” Single Family Residential District To “P” Planned Development District (Council Member Gulli)

Resolution passed 7 ayes, 0 nos, 0 abstentions.

Adjournment

The meeting adjourned at 8:55 p.m.

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

An audio recording of this meeting is on file at the City Clerk's office.

Audio and video recordings of this meeting are on file at the City Clerk's office.

From: [Friends of the Mahicantuck](#)
To: [All City Council Members](#); [citycouncil](#); [Carmella.Mantello](#); [Patrick.Madden](#); [Maria.DeBonis](#)
Subject: Submission to the Record: Determination of Significance - Council Finance Committee Meeting 4/21/2022
Date: Thursday, April 21, 2022 3:31:57 PM

Dear President Carmella Mantello

Dear Troy City Council,

Regarding:

55. Resolution Of Lead Agency Pursuant To The New York State Environmental Quality Review Act Declaring Whether A Proposed Amendment To The City Of Troy Zoning Map Changing The Zoning Classification Of Property Known As 1011 Second Avenue, Tax Parcel Number 70.64-1-1, From "R-1" Single Family Residential To "P" Planned Development Will Have Significant Adverse Impacts On The Environment (Council Member Gulli)

56. Resolution Of The Troy City Council Scheduling A Public Hearing To Be Held In Connection With The Proposed Zoning Change Of 1011 Second Avenue From "R-1" Single Family Residential District To "P" Planned Development District (Council Member Gulli)

Please add this email and all attached documents to the public record of the meeting and the SEQR for 1011 2nd Avenue.

In response to the Draft Determination of Significance, we want to emphasize that the Negative Declaration is not justified and that instead a Positive Declaration is required.

While we will provide further analysis in the future, we want to draw your immediate attention to the following dramatic flaws in your analysis as provided in this draft:

- The analysis does not address the significant deviation from the allowable density and building height in the proposed new zoning, setting a negative precedent for future zoning decisions that undermines the powers of the council to require applications to be consistent with its zoning code, with significant potential negative impacts on the powers of the council.
- These discrepancies are also not addressed in the analysis of negative impacts related to the consistency with community plans and are in conflict with the assessment that there are no negative impacts to the community character and dominating surrounding land uses.
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Not all documents submitted by the public, including our organization, were published on the City website contrary to what is stated in the draft determination. This includes ecological studies and other relevant reports and submissions. We therefore assume that those documents and letters submitted to the record were not considered in the analysis. This is additionally supported by the fact that they are not addressed in the analysis.

- No analysis for impacts of the proposed boat dock as part of the proposed action is provided at all, with significant negative impacts related to that proposed element of the action submitted to the record in the past.
- "Future mitigation measures" are used to justify no negative impacts to be given. Future plans that do not exist presently do not qualify as mitigation measures. The determination also makes references to future designs and plans throughout the analysis, yet future (and therefore not presently existing) design and plans are not sufficient mitigation measures for the identified significant negative impacts. This includes the impacts on archaeological resources for which no detail mitigation plans are provided.
- The analysis does repeatedly not use the current state of the site as frame of reference in its analysis, resulting in wrong results of the analysis.
- Future climate change risks, including for the erosion control plan and the wastewater treatment plan have not been considered.
- Potentially significant negative impacts identified by a February letter from Rensselaer County to the City of Troy in connection to this project were not addressed, and the associated potentially significant negative impacts are not analyzed, such as the absence of boring to fully evaluate ripability.
- The impacts on view shed and aesthetic analysis ignore extensive analysis on the contrast to the surrounding uses and site use, as well as provided studies detailing the impacts on property values and gentrification.
- Significant negative impacts associated with the loss of ecosystem services were not analyzed despite significant elements of the record detailing such impacts.
- The analysis does not consider the potential significant negative impacts associated with an established informal use of a recreational and open space resource located in

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Subject: Re: Submission to the Record: Determination of Significance - Council Finance Committee Meeting 4/21/2022
Date: Thursday, April 21, 2022 3:44:31 PM

Dear President Carmella Mantello

Dear Troy City Council,

Regarding:

55. Resolution Of Lead Agency Pursuant To The New York State Environmental Quality Review Act Declaring Whether A Proposed Amendment To The City Of Troy Zoning Map Changing The Zoning Classification Of Property Known As 1011 Second Avenue, Tax Parcel Number 70.64-1-1, From "R-1" Single Family Residential To "P" Planned Development Will Have Significant Adverse Impacts On The Environment (Council Member Gulli)

56. Resolution Of The Troy City Council Scheduling A Public Hearing To Be Held In Connection With The Proposed Zoning Change Of 1011 Second Avenue From "R-1" Single Family Residential District To "P" Planned Development District (Council Member Gulli)

Please add this email and all attached documents to the public record of the meeting and the SEQR for 1011 2nd Avenue.

It is our understanding that the initially posted agenda did not include the above listed resolution, as initially posted. Rather, the amendment to include above agenda items was potentially posted outside the minimum notice time period. We therefore raise the concern that this meeting was not properly noticed.

We also raise the potential that the Finance Committee may not be the appropriate committee for this vote, as its jurisdiction on this matter is not evident - at least not to our group. In addition, we want to inquire by what process and at what time this matter was referred to the committee and request documentation of that referral.

We therefore raise the potential that the Finance Committee is not the appropriate committee to hold this vote and rather the Planning Committee would be the appropriate committee.

We therefore hold that the vote today is inappropriate due to potential procedural and jurisdictional issues, at the very least however there was not sufficient time for meaningful public participation provided.

This is particularly the case, as we want to draw your attention to the public statements by Council President and members of the council that the public will have the opportunity for public input in a separate workshop prior to a determination of significance, as was also included in the public notice for the last Council Workshop on this matter last month. This

means that it can be assumed that the public was awaiting a notice for a workshop and not the consideration of the issue in the Finance Committee, where that committees jurisdiction is not readily clear in the first place.

This means that the public had not the same participation rights in your decision making as the applicant, and we see our rights and the general public's right for a fair process of participation violated. How come that the applicant is allowed to provide comment during workshops prior to the Determination of Significance being formulated by a Council work group, yet the public does not? Applicant and general public are supposed to have the same rights of public participation.

We therefore urge you to strike the two agenda items no 55 and 56 from today's agenda, refer it to the Planning Committee, provide a public workshop prior to the committee meeting, and revise the current draft determination of significance to reflect the publics input during such a workshop prior to committee referral.

Sincerely,
Friends of the Mahicantuck

a designated Potential Environmental Justice Area.

- No analysis of pedestrian safety and neighborhood safety from the significant increase in population density was provided despite existing submissions to the record on the matter.
- The assessment that there is no sharp contrast with surrounding land use patterns is incorrect, as evidenced by extensive submissions to the record. The same is the case for the analysis of Comprehensive Plan consistencies, for which an extensive record with evidence to the contrary exists.
- Impacts associated with gentrification dynamics, future climate risks and their exacerbation through ecosystem services loss, and other significant impacts have not been addressed at all in the analysis despite extensive submission to the record.

Most importantly, several potentially significant negative impacts have been recorded and submitted to the record yet were not analyzed. Submissions were made by - amongst others - members of the public testifying to the negative impacts on the local community character, by Scenic Hudson, Riverkeeper, Sierra Club, members of Indigenous Nations, and our organization.

As only one potential significant negative impact is needed for a positive declaration, and as there is a presumption under law that an EIS is likely required for a type I action, and several potential significant negative impacts were identified in the record,

- the City Council **must** issue a positive declaration,
- an EIS is required, and due to high public interest
- we request a 90 day public scoping period with public hearings.

Sincerely,
The Friends of the Mahicantuck.
April 21, 2022