

AGENDA FOR THE COMMON COUNCIL MEETING JUNE 17, 2020

1. A RESOLUTION APPROVING AND ESTABLISHING A NEW FEE SCHEDULE FOR PLANNING AND DEVELOPMENT
2. A RESOLUTION TO APPROVE PURCHASE OF UTILITY TRACTOR UNDER STATE CONTRACT AND TRANSFER OF FUNDS RELATING THERETO
3. A RESOLUTION APPROVING CHANGE OF TRAFFIC AND PARKING SIGNAGE AND SCHEDULING A PUBLIC HEARING THEREON
4. A RESOLUTION TO TENTATIVELY APPROVE LAND SWAP WITH RICHARD HOTALING AND SUSAN A. SHELDON AND SCHEDULING A PUBLIC HEARING THEREON
5. A RESOLUTION TO APPROVE PURCHASES OF WEIGHT SCALES FROM SOLE SOURCE VENDOR AND TRANSFERRING OF FUNDS RELATING THERETO-RENSSELAER POLICE DEPARTMENT
6. A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 6 OF 2020 AS TO FORM AND SCHEDULING A PUBLIC HEARING THEREON (AS AMENDED)

By Alderperson : _____

Seconded by Alderperson : _____

**A RESOLUTION TO ESTABLISH A NEW FEE SCHEDULE FOR PLANNING AND DEVELOPMENT IN THE CITY
OF RENSSELAER**

WHEREAS, The City of Rensselaer is desirous of amending the fee schedule for Planning and Development, and

WHEREAS, The Common Council has reviewed the attached new fee schedule, which is made a part hereof and incorporated herein by reference, and

WHEREAS, such new fee schedule appears appropriate as to form and effect, and it appearing appropriate for adoption,

NOW, THEREFORE BE IT RESOLVED, that the attached new fee schedule for the City of Rensselaer Building and Planning Department is hereby approved and adopted, and

BE IT FURTHER RESOLVED, that such new fee schedule shall go into effect immediately.

Approved as to form and sufficiency
this _____ day of June, 2020

Corporation Counsel

Mayor

PLANNING AND DEVELOPMENT SCHEDULE OF FEES		
Definitions for Planning Commission Fees		
Minor Site Plan	Less than 3,000 square feet	
Major Site Plan	3,000 square feet or greater	
Minor Subdivision	No more than four (4) lots not requiring public infrastructure	
Major Subdivision	Five (5) or more lots or any subdivision with public infrastructure	
Original Fee*	Does not apply to fees calculated before 6/3/2020, those calculated after this date will be consistent with new fee schedule	
Zoning Board of Appeals		
Use Variance	\$	200.00
Area Variance	\$	150.00
Interpretation	\$	100.00
Certificate of Appropriateness		
Residential	\$	100.00
Commercial	\$	250.00
Planning Commission		
Administrative Action and Business Permit		Per planning fees
Sketch Plan Conference	\$	350.00
Special Use Permit	\$	100.00
Preliminary Site Plan Review		
	Minor	\$ 350.00
	Major	\$ 750.00
	Per additional 1,000 square feet of new construction	\$ 150.00
Final Site Plan Review OR Renewal		
	Minor	\$ 300.00
	Minor Renewal	Original fee* for preliminary review
	Major	\$ 400.00
	Major Renewal	Original fee* for preliminary review
Site Plan Amendment OR Extension		
	Minor	½ of original fee*
	Major	½ of original fee*
Minor Subdivision		
	Sketch plat approval	\$ 200.00
	Final plat approval	\$ 350.00
	Per proposed residential lot (including original)	\$ 150.00
	Per non-residential lot (including original)	\$ 250.00
Major Subdivision		
	Sketch plat approval	\$ 400.00
	Final plat approval	\$ 350.00
	Per proposed residential lot (including original)	\$ 150.00
	Per non-residential lot (including original)	\$ 250.00
SEQR Lead Agency Coordination	\$	100.00
Lot Line Adjustment	\$	250.00
SEQR EIS Review (Draft & Final)		Per engineering fees
Storm Water Pollution Prevention Plan Review		Per engineering fees
Planning Information and Data Services		
Certificate of Use	\$	50.00
	Annual Certificate of Use Renewal	\$ 25.00
	Failure to Renew Certificate of Use	\$ 75.00
Zoning Maps 8.5"x11" or 34"x44"		\$5/\$20
Other Mapping, Data or Information Services		Per Planning Fees
Long Form EAF Review	\$	100.00
Draft EIS Review	\$	500.00
Final EIS Review	\$	250.00
Zoning Code Challenge	\$	50.00
Zoning Compliance Letter/Flood Plain Letter	\$	50.00

By Alderperson : _____
Seconded by Alderperson : _____

**A RESOLUTION APPROVING CHANGE OF TRAFFIC AND PARKING SIGNAGE AND
SCHEDULING PUBLIC HEARING THEREON - OFFICE OF THE ENGINEER**

WHEREAS, the Common Council of the City of Rensselaer has been working with the City Engineer for the last two years in conducting an extensive Traffic and Parking Signage Study, and the City Engineer has now filed a detailed recommendation, a copy of which is attached hereto, to the Common Council of certain recommended changes to the City signage and parking patterns so as to better serve the City residents, and

WHEREAS, the Common Council of the City of Rensselaer is further advised that the Mayor, Police Chief and DPW Commissioner all concur in the proposed signage changes, and

WHEREAS, such proposed signage changes appear appropriate as to form and effect, and it appearing appropriate for a Public Hearing to be scheduled so as to consider public comments on such proposed signage changes,

NOW, THEREFORE BE IT RESOLVED, that the City of Rensselaer hereby approves the attached proposed signage changes as to form and effect, and

BE IT FURTHER RESOLVED, that a Public Hearing will be held at 6:30 p.m. on July 1, 2020 at the City Hall of the City of Rensselaer located at 62 Washington Street, Rensselaer, New York so as to allow the Common Council to hear Public Comment on the proposed signage changes attached hereto, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

Approved as to form and sufficiency
this ____ day of June, 2020

Corporation Counsel

Mayor

I. SUMMARY

A comprehensive study was initiated in February 2020 to locate and evaluate traffic signs in the City of Rensselaer (hereafter The City). The work was completed in three phases, (1) handicap parking, (2) parking restrictions, and (3) signs at intersections. A total of **1041** street signs were identified in this study: **79** handicap parking, **525** parking restrictions, and **437** signs at intersections.

Overall, the condition of road signs in the City of Rensselaer is poor. Thirty percent of parking and intersection signs need to be replaced. The physical condition of handicapped parking signs is much better, but the number not licensed with the City is high.

The substandard condition of signs, particularly parking restrictions, creates chaos in compliance and enforcement. This holds true for both areas of the City where signs are insufficient and where signs are up to current standards.

The condition of road signs in the City of Rensselaer is poor. Thirty percent of parking and intersection signs need to be replaced.

To bring The City up to Dot standards will be a costly and laborious undertaking. A systematic, targeted approach is recommended to bring The City up to standards. As the work is carried out it will eliminate inadequacies, confusion, and enforcement issues without a net loss of legal, existing parking availability.

The insufficiencies outlined in this report stem from a lack of clear coordination of sign maintenance and adherence to NYS DOT standards and guidance. DOT Maintenance Guidance clearly states *“Damaged or deteriorated signs, gates, or object markers should be replaced.”*

Steps should be put in place to follow the 2009 Manual on Uniform Traffic Control Devices for Streets and Highways for future, continual maintenance of signs in the city. Establishment of a person(s) charged with overseeing regular maintenance and adherence to new standards and guidance will prevent future need to undertake a large-scale maintenance effort like the one now required.

Wilson and Kelling’s Broken Windows Theory can be applied to the condition of street signs in The City. Although the theory has been widely applied to community policing efforts, its application to the visual condition of signs and the negative perception it places on the community is appropriate. Wilson and Kelling’s discussion of “Order maintenance” by the police can also be applied to the government’s responsibility to provide order through well-maintained and clearly defined street signs. Improving the quality of street signs in The City will improve perceptions of public order for residents and visitors.

II. PARKING SIGNS

A. MAPPING

Five hundred and twenty-five non-handicap parking signs were identified in the City of Rensselaer during this study. Signs were identified by location, type, and condition. Signs were assigned numbers and plotted in CONNECTExplorer™ for visual purposes. Restrictions and prohibitions were identified by color-code; red represents a prohibition and blue represents a temporary restriction (i.e. Tuesday & Thursday 8-10am). The NYS Supplement to the 2009 MUTCD states that “**Parking signs shall be placed at each end of a regulation and, within the regulation, at intervals not to exceed 200 feet.**”¹ Distances were approximated with the mapping tool in CONNECTExplorer™ to locate the 200’ reach of any individual sign. This limitation is evident in the parking map generated. No assumptions were made for parking restrictions extending past the 200’ reach of any sign.

The substandard condition of signs, particularly parking restrictions, creates chaos in compliance and enforcement.

B. CONDITION AND PROBLEM AREAS

Overall, sign quality is poor. Forty percent of the signs are insufficient, with over 30% needing replacement and slightly more than 9% needing maintenance.

Reasons for replacement include:

- Bent sign
- Chipping
- Fading
- Illegibility
- Spray painted/tagged
- Rust
- Handwritten sign
- Peeling laminate

Reasons identified for maintenance include:

- Bad angle
- Bent mount
- Low height
- Mounted on utility poles, fence or building
- Tagged with decals/stickers
- Obscured by bushes

¹NYS Supplement to the 2009 MUTCD. Section 2B.48 Placement of Parking, Stopping, and Standing Signs. Paragraph 00C, page 35.

III. SIGNS AT INTERSECTIONS

There were 437 signs identified in this phase of the study. The majority of signs (302) were STOP signs. Also included in this phase were signs on dead end streets including DEAD END (48), NO OUTLET (3), and NO DUMPING (7).

A. STOP SIGNS

302 stop signs were identified in the City. Of that number, 26.5% (n= 80) need replacing. Reasons for replacement include graffiti, fading, physical damage, or cracking laminate. It appears that a few of the signs had graffiti removed previously. The solvent that removed the graffiti also removes paint from the sign. This has resulted in large, unsightly, white blotches on the signs.

*Improving the quality of street signs in
The City will improve perceptions of
public order for residents and visitors.*

An additional 55 Stop signs (18% of the total) are in need of some form of maintenance. Maintenance ranges from remounting due to physical damage or height below code, resetting mounts that are leaning, and the removal of stickers.

Stop and Dead End signs have a higher rate of defacing (i.e. graffiti, tagging, stickers, etc.) than other signs due to the larger size and conspicuous placement. Defacing can negatively influence the perception of a neighborhood. Signs that are vandalized, damaged, or improperly placed give the perception of a community in decay. Wilson and Kelling's Broken Windows Theory² used the metaphor of broken windows as an indicator of potential disorder and incivility in a neighborhood. Subsequent tests of this idea revealed the visual presence of broken windows has a cascading effect on disorder and lawlessness in communities. Unattended maintenance, such as defaced street signs, like a broken window, serves as an indicator of community decay. Correcting physical problems can have a positive influence on crime deterrence.

The Broken Windows Theory has been applied widely across the United States for decades in the form of community policing to deter crime. The basic tenant of this law enforcement idea is that crime emanates from disorder and eliminating environmental disorder would deter more serious crimes in a neighborhood. Further, the prevalence of disorder creates a degree of fear that a community lacks structure and is therefore unsafe. The City can make strides to eliminate any such perceptions by improving the visual quality of its signs.

²Wilson, J. and G. Kelling (1982) The Police and neighborhood safety: Broken Windows. The Atlantic Monthly. 127:29-38.

This theory has been applied numerous times, including a 2008 study³ which showed a strong correlation between graffiti and increased littering and theft. They concluded *“as a certain norm-violating behavior (i.e. graffiti) becomes more common, it will negatively influence conformity to other norms and rules.”*

IV. A STARTING POINT

Broadway-Riverside, First Street, and Second Street were recognized as critically deficient in quality and quantity of signs. Parking restrictions are inconsistent and haphazard, with entire blocks lacking restrictions to allow for street sweeping and snow removal. All of the parking signs on First Street are in need of replacement. Additionally, the current restrictions do not meet The City’s maintenance and enforcement needs. Improving the signs on these and the cross streets will address the most egregious issues in The City.

Parking signs on the cross streets of Broadway, First, and Second are similarly haphazard and/or absent. To facilitate Street sweeping and snow removal restrictions need to be put in place.

A. BROADWAY

Existing signs above Partition Street are in poor condition. Seventy-five percent of parking restriction signs need replacing. Sign coverage is grossly insufficient.

Between Columbia St and Partition St current signs are inconsistent with existing signs and do not reflect the desired changes herein.

Broadway-Riverside below Columbia St is also in need of complete replacement.

B. FIRST STREET

Every one of the parking signs on First Street fails to meet DOT standards. Total replacement is needed. Days and times of parking restrictions will be the same as Broadway.

C. SECOND STREET

Parking restriction signs on Second Street are of very poor quality. They also do not meet the desired changes to parking restrictions. A total replacement is warranted.

D. CROSS STREETS

Many of the cross streets lack parking restrictions. The ones that have signs (i.e. John St) are of poor quality and lack alternatives to allow for street maintenance.

On Monday, June 1, 2020 a meeting was held between Mayor Stammel, Chief Frankowski, City Engineer Smart, DPW Commissioner Brady, City Attorney Danaher, and Project Consultant Todd Hunsinger to address these problematic streets and solutions to meet current needs of street maintenance and enforcement of restrictions.

³ Keiser, K. et al. 2008. The Spread of Disorder. Science, 322(5908) 1681-1685.

Consensus was reached that restrictions should be multiple days each week to facilitate snow removal and expedite the removal of abandoned cars.

Concern was expressed regarding intersection clearance for emergency vehicles. Stretches of First Street and cross streets are narrow. The slope of the hills creates another problem with navigating intersections. DOT Standards dictate that parking is prohibited within 15 feet of an intersection.

V. CONCLUSIONS AND RECOMMENDATIONS

This study was initiated by then Third Ward Alderperson John DeFrancesco out of a concern surrounding the quality of street signs in the City of Rensselaer and the problems of compliance and enforcement that result. The data gathered supports these concerns and revealed the additional problem of an insufficient quantity of parking restriction signs to meet NYS DOT standards throughout much of the city. This effort is likely to have a positive influence for both residents and visitors of Rensselaer. Informally, residents appear wanting of these improvements. A few times during this study curious residents inquired about the work. The response was overwhelmingly favorable that The City was acting on this issue.

A. BROADWAY-RIVERSIDE

Broadway will be resigned with restrictions of NO PARKING 9AM-3PM MONDAY, WEDNESDAY, FRIDAY on the east side and NO PARKING 9AM-3PM TUESDAY, THURSDAY on the west side, with a few exceptions.

The first exception is below the Broadway Viaduct. The parking prohibition signs (#s 414, 418-421) will remain. For consistency, two additional NO PARKING signs will be placed in front of the Boys and Girls Club at each parking lot entrance.

From Third Ave to Columbia Street will remain as currently signed with one exception. The two signs (#s 268-269) across from the Police Station stating 15 MINUTE PARKING 4-9PM will be removed. Sign 268 will be replaced with 30 MINUTE PARKING to match signs 270 and 271.

Broadway-Riverside below Columbia will have signs #240 and 241 prohibiting parking near the intersection will be replaced due to illegibility. The rest of the street to Belmore Place will be signed as Broadway is.

B. FIRST STREET

First Street from Partition Street to McNaughton will be resigned with the restrictions NO PARKING 9AM-3PM MONDAY, WEDNESDAY, FRIDAY on the east side and NO PARKING 9AM-3PM TUESDAY, THURSDAY on the west side.

From McNaughton to Washington Ave the west side of the street will be resigned with NO PARKING FIRE LANE EXCEPT TUESDAY 9AM-3PM. The east side will be resigned with NO PARKING 9AM-3PM TUESDAY.

C. SECOND STREET

From Partition to Church Street the street will be resigned with the restrictions NO PARKING 9AM-3PM MONDAY, WEDNESDAY, FRIDAY on the east side and NO PARKING 9AM-3PM TUESDAY, THURSDAY on the west side.

Upper Second will be signed with NO PARKING on the west side.

From Church St to the fork with Upper Second the east side will be resigned with NO PARKING FIRE LANE EXCEPT 9AM-3PM MONDAY. The west side will be signed with NO PARKING EXCEPT 9AM-3PM MONDAY.

Beyond the fork until the end the street will be resigned with restrictions NO PARKING 9AM-3PM MONDAY, WEDNESDAY, FRIDAY on the east side and NO PARKING 9AM-3PM TUESDAY, THURSDAY on the west side.

D. CROSS STREETS, "THE HILLS"

Where parking signs exist they are of poor quality and coverage.

John Street will be resigned with NO PARKING FIRE LANE EXCEPT 9AM-3PM MONDAY on the south side. The West side will be signed with NO PARKING 9AM-3PM MONDAY.

Fowler Ave and Tracy Street will resigned with NO PARKING FIRE LANE EXCEPT TUESDAY 9AM-3PM on the south side and NO PARKING 9AM-3PM TUESDAYS.

Other streets will be addressed as needed.

E. INTERSECTIONS

NO PARKING HERE TO CORNER signs will be installed 15 feet off all intersections where they are currently lacking.

To complete the updates 25 STOP signs, two ONE WAY, and one DO NOT ENTER sign are required.

Completing all of the upgrades will require 411 +/-parking signs, 25 STOP signs, two ONE WAY and one DO NOT ENTER.

Total cost for upgrades is approximately \$27,000.

By Alderperson : _____

Seconded by Alderperson : _____

**A RESOLUTION TO TENTATIVELY APPROVE LAND SWAP WITH RICHARD HOTALING AND
SUSAN A. SHELDON AND
SCHEDULING A PUBLIC HEARING THEREON**

WHEREAS, The Common Council of the City of Rensselaer has been provided with the attached surveys and tax map concerning a Land Swap between the City of Rensselaer and Richard Hotaling and Susan A. Sheldon for properties in the vicinity of Central Avenue and Seventh Street in the City of Rensselaer, and

WHEREAS, the Common Council has reviewed such proposed Land Swap, and it appearing that the City would be transferring out 15,875 Square Feet of unused land constituting a portion of Seventh Street that was never developed nor appears to serve any public use contemplated in the future, and in return the City would receive 16,876 Square feet of vacant land upon which the City maintains an access road near the City border with the Town of North Greenbush that enables the City to service City Utilities, and

WHEREAS, City Assessor has advised that there are no appreciable differences in value between the parcels involved in the proposed Land Swap, and

WHEREAS, such proposed Land Swap appears to be in the best interests of the City of Rensselaer and it appearing appropriate for a Public Hearing to be scheduled so as to consider public comments on such proposed Land Swap,

NOW, THEREFORE BE IT RESOLVED, that the attached proposed Land Swap is hereby tentatively approved subject to Public Hearing, and

BE IT FURTHER RESOLVED, that a Public Hearing will be held at 6:30pm on July 1st, 2020, at the City Hall of the City of Rensselaer located at 62 Washington Street, Rensselaer, New York, so as to allow the Common Council to hear Public Comment on the possible approval of the proposed Land Swap, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

Approved as to form and sufficiency
this _____ day of June, 2020

Corporation Counsel

Mayor

NOW, THEREFORE BE IT RESOLVED, that the attached proposed Land Swap is hereby tentatively approved subject to Public Hearing, and

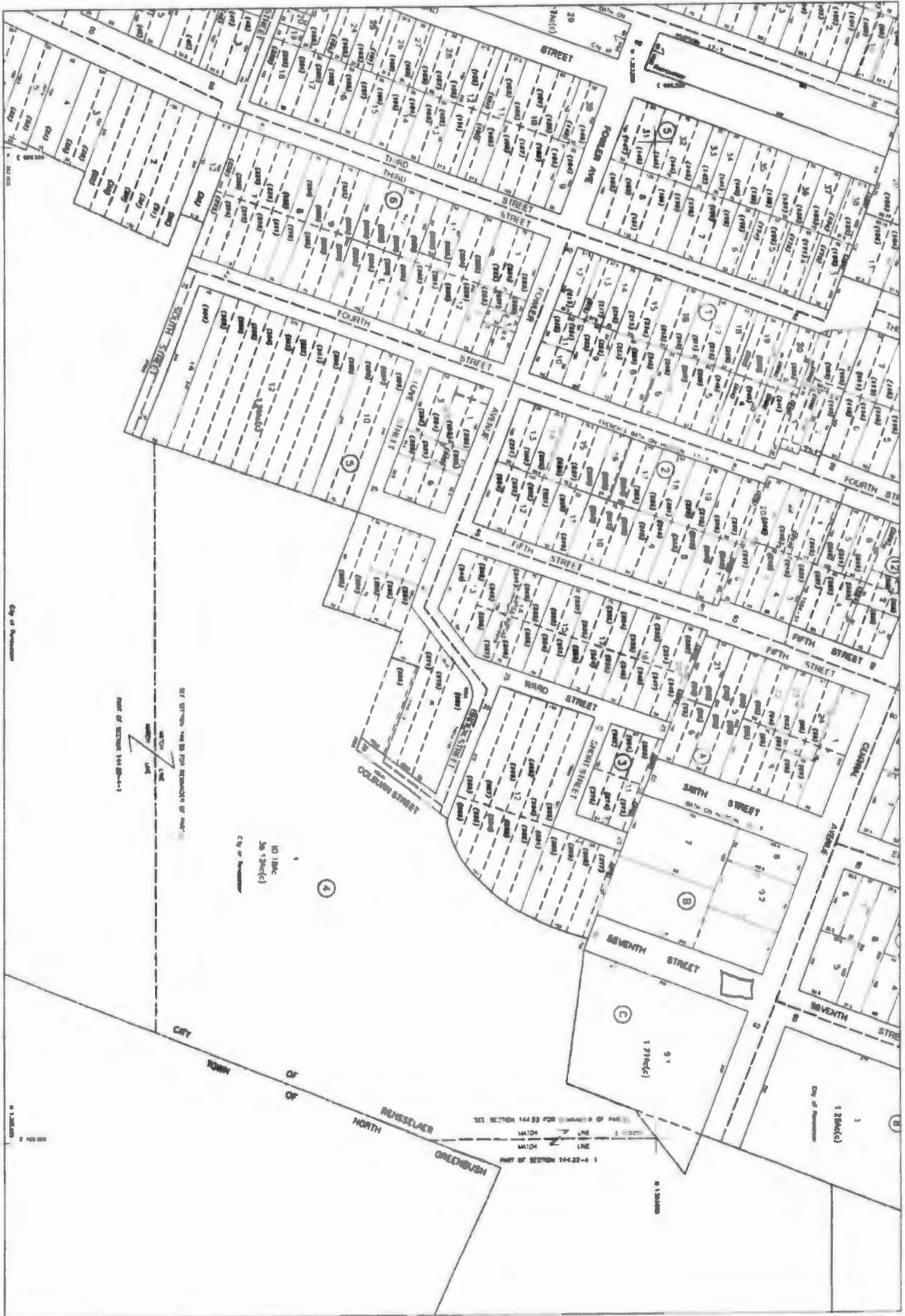
BE IT FURTHER RESOLVED, that a Public Hearing will be held at 6:30pm on July 1st, 2020, at the City Hall of the City of Rensselaer located at 62 Washington Street, Rensselaer, New York, so as to allow the Common Council to hear Public Comment on the possible approval of the proposed Land Swap, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

Approved as to form and sufficiency
this _____ day of June, 2020

Corporation Counsel

Mayor



R.E.A. ENGINEERS
 100 West 42nd Street, New York 36, N.Y.
 ENGINEERS AND ARCHITECTS
 100 West 42nd Street, New York 36, N.Y.
 1942

DATE	1942
BY	R.E.A.
FOR	CITY OF RENSSELAER
PROJECT	REVISION OF MAP
DESCRIPTION	REVISION OF MAP
SCALE	AS SHOWN
REVISIONS	
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CITY OF RENSSELAER
 RENSSELAER COUNTY, NEW YORK
 1942

EXISTING PROPERTY LINE

EXISTING PROPERTY LINE

WOODED

EA:

REA: 39,197 SQ.FT.

REMAINING LANDS OF
RICHARD HOTALING &
SUSAN A. SHELDON
BK. 1607, PG. 173
TOWN 144.22 BLOCK 3 LOT 9.1

NEW PROPERTY LINE

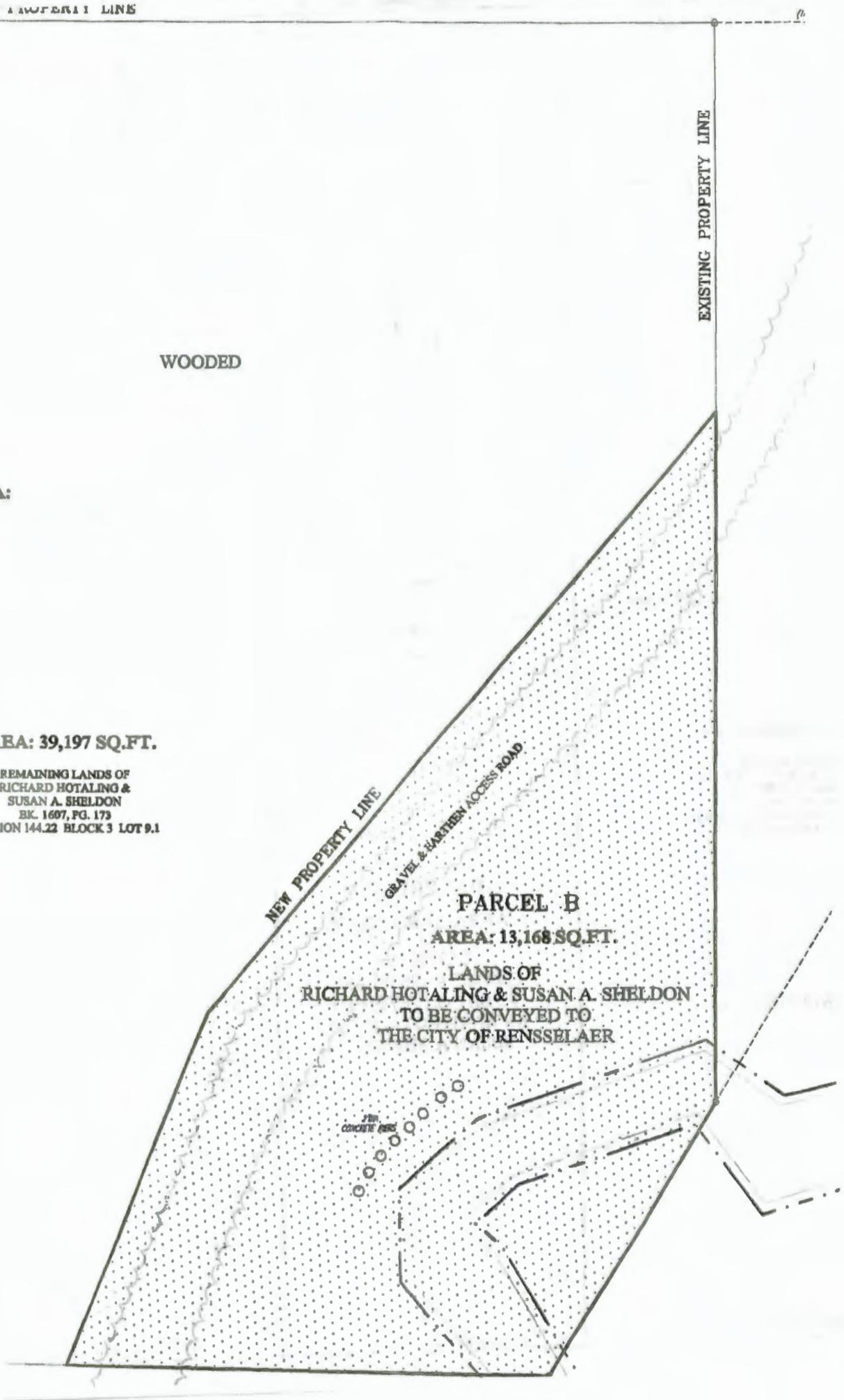
GRAVEL & HAYSTEN ACCESS ROAD

PARCEL B

AREA: 13,168 SQ.FT.

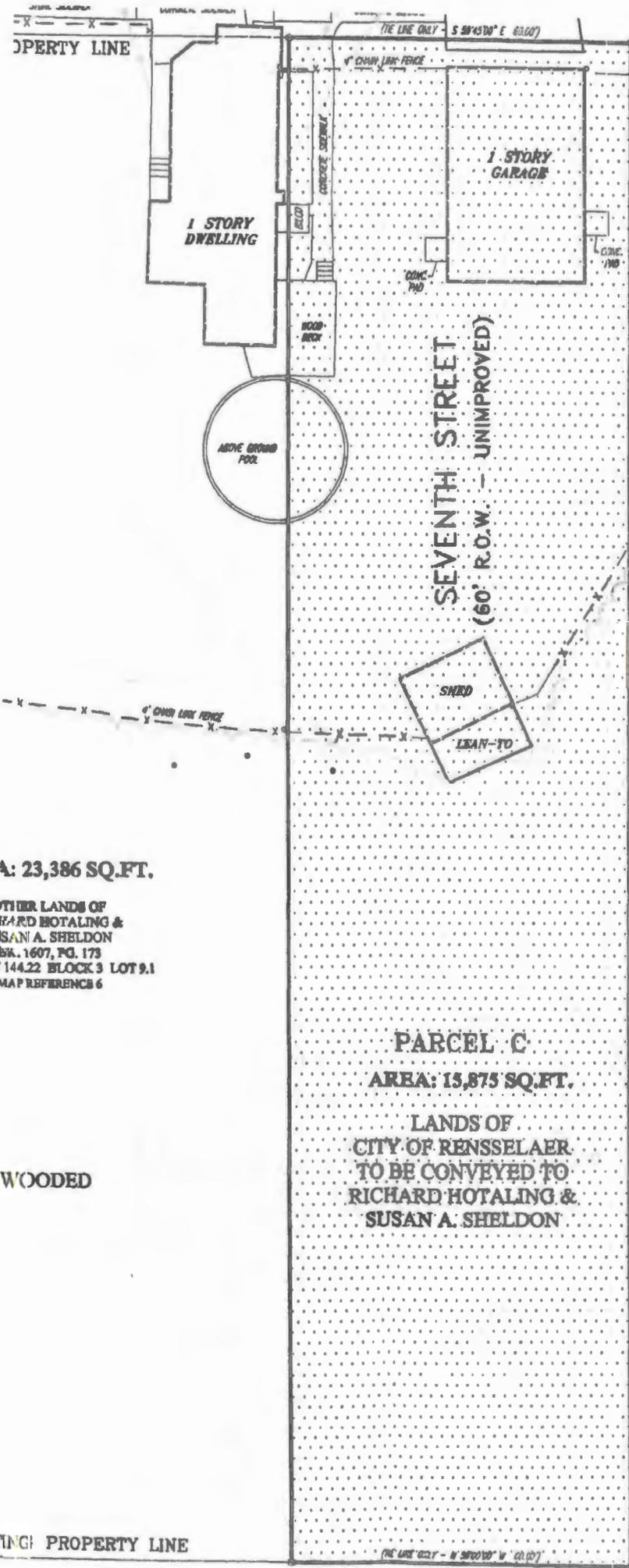
LANDS OF
RICHARD HOTALING & SUSAN A. SHELDON
TO BE CONVEYED TO
THE CITY OF RENSSELAER

7 1/2"
CONCRETE PAVEMENT



PROPERTY LINE

EXISTING



NEW TOTAL AREA
78,458 SQ.FT
(1.80 ACRES)

AREA: 23,386 SQ.FT.

OTHER LANDS OF
RICHARD HOTALING &
SUSAN A. SHELDON
Bk. 1607, PG. 173
1144.22 BLOCK 3 LOT 9.1
MAP REFERENCE 6

WOODED

PARCEL C

AREA: 13,875 SQ.FT.

LANDS OF
CITY OF RENSSELAER
TO BE CONVEYED TO
RICHARD HOTALING &
SUSAN A. SHELDON

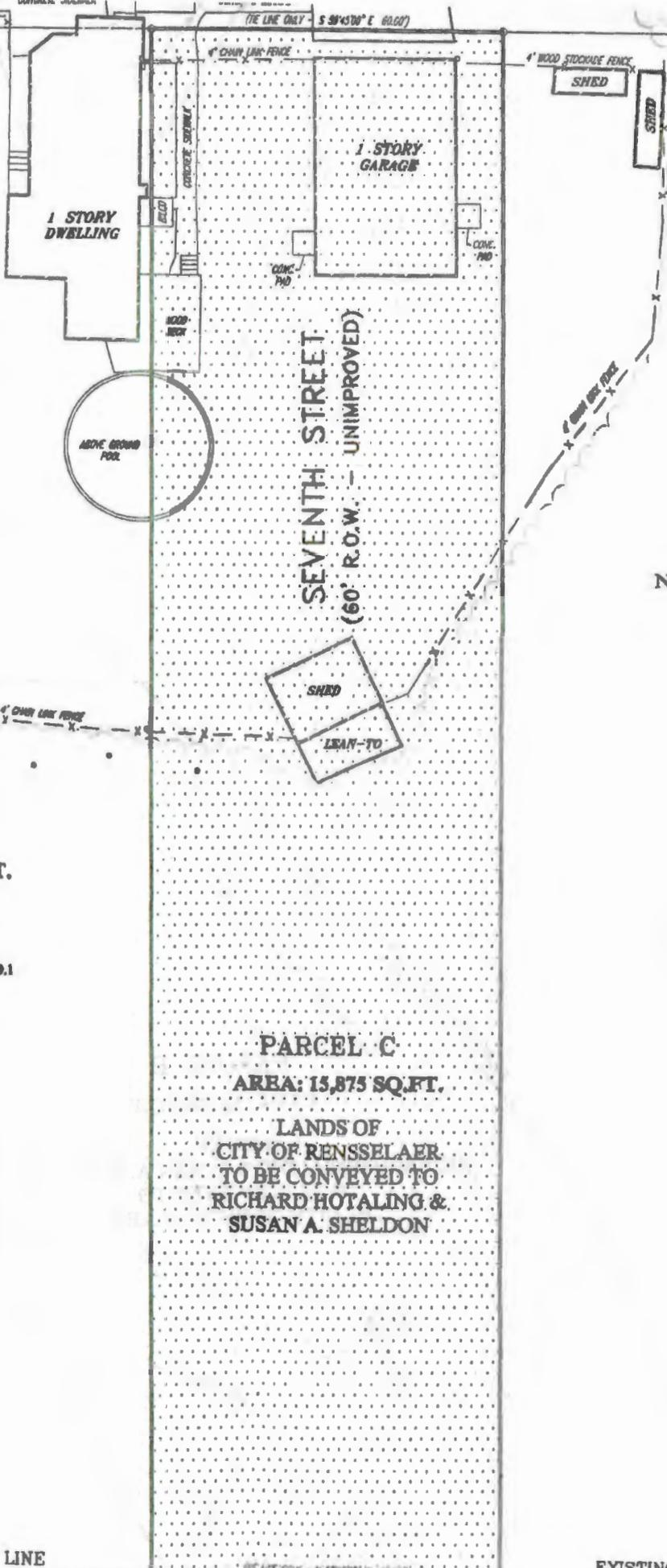
PROPERTY LINE

THE LINE ONLY - N 89°45'00" W 63.00'

EXISTING PROPERTY LINE

PROPERTY LINE

EXISTING



NEW TOTAL AREA
78,458 SQ. FT.
(1.80 ACRES)

A: 23,386 SQ. FT.

OTHER LANDS OF
 RICHARD HOTALING &
 SUSAN A. SHELDON
 BK. 1607, PG. 173
 144.22 BLOCK 3 LOT 9.1
 MAP REFERENCE 6

WOODED

PARCEL C
AREA: 15,875 SQ. FT.
 LANDS OF
 CITY OF RENSSELAER
 TO BE CONVEYED TO
 RICHARD HOTALING &
 SUSAN A. SHELDON

PROPERTY LINE

THE LINE ONLY - N 59°01'00" W 60.00''

EXISTING PROPERTY LINE

NEW PROPERTY LINE

6

EXISTING PROPERTY LINE

WOODED

EA:

REA: 39,197 SQ.FT.

REMAINING LANDS OF
RICHARD HOTALING &
SUSAN A. SHELDON
EX. 1607, PG. 173
TOWN 14.22 BLOCK 3 LOT 9.1

NEW PROPERTY LINE

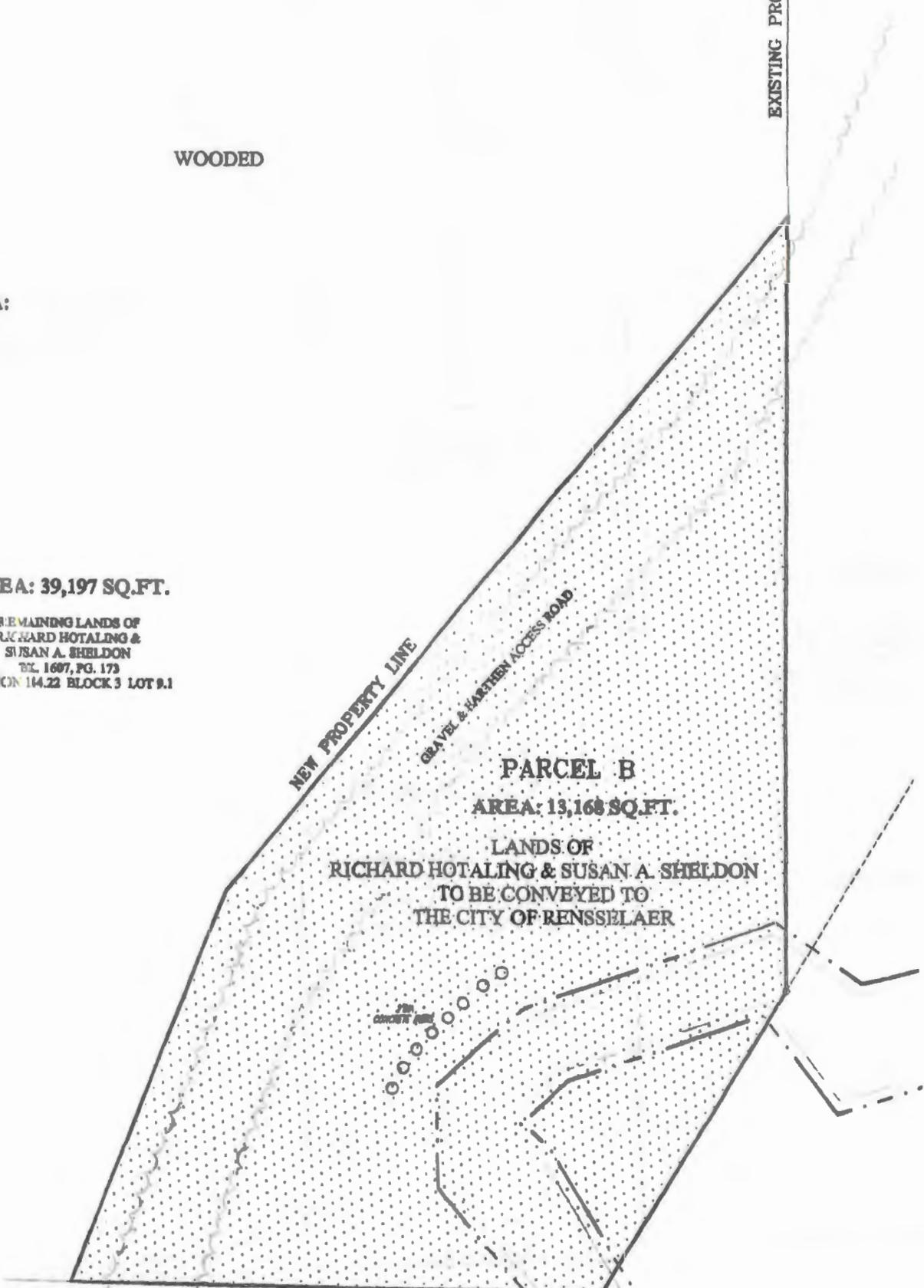
GRAVEL & HARDEN ACCESS ROAD

PARCEL B

AREA: 13,168 SQ.FT.

LANDS OF
RICHARD HOTALING & SUSAN A. SHELDON
TO BE CONVEYED TO
THE CITY OF RENSSELAER

2" DIA
CONCRETE PILE



By Alderperson : _____

Seconded by Alderperson : _____

A RESOLUTION TO APPROVE PURCHASES OF WEIGHT SCALES FROM SOLE SOURCE VENDOR AND TRANSFER OF FUNDS RELATING THERETO – RENSSELAER POLICE DEPARTMENT

WHEREAS, The City of Rensselaer is in need of four (4) hydraulic/analog weight scales so as to assist the Police Department in maintaining appropriate weight limits of vehicles using City Streets, and

WHEREAS, the Common Council has been advised that the City has obtained a “Sole Source” quote from Loadometer Corporation, a copy of which is attached hereto, for the purchase of four (4) hydraulic/analog weight scales known as “Wheel Load Scale WL 101” for the total price of \$20,780.00, and that such purchase is in the best interest of the City of Rensselaer, and that the City of Rensselaer Purchasing Agent is in possession of all necessary invoices and documentation concerning the purchase of the aforementioned weight scales and that such purchase is not subject to competitive bidding due to being a “Sole Source” product under Section 45-4 of the Rensselaer City Code and Section 104-b of the New York State General Municipal Law, and that sufficient funds are available in City accounts to fund such purchase, and good cause appearing therefore,

NOW, THEREFORE BE IT RESOLVED, that the Common Council hereby approves the purchase, on behalf of the Police Department, of four (4) hydraulic/analog weight scales from Loadometer Corporation for the purchase price of \$20,780.00, and

BE IT FURTHER RESOLVED, that such purchase be funded from the “Other Equipment” line A.3120.7250 of the City Funds, after the following transfers are made into such Fund:

FROM:

A.3120.7191 Police-Vacation Buy Back \$20,780.00

TOTAL **\$20,780.00**

TO:

A.3120.7250 Police – Other Equipment \$20,780.00

TOTAL **\$20,780.00**

Approved as to form and sufficiency
this _____ day of June, 2020

Corporation Counsel

Mayor

By Alderperson : _____

Seconded by Alderperson : _____

A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 6 OF 2020 AS TO FORM AND SCHEDULING A PUBLIC HEARING THEREON AS AMENDED

WHEREAS, the City of Rensselaer is desirous of amending Title IV, Section 77, of the Charter of the City of Rensselaer, New York, relative to the Auditing and Payment of Claims of Vendors servicing the City of Rensselaer, and

WHEREAS, the Common Council has reviewed proposed Local Law No. 6 of the year 2020, and

WHEREAS, such Local Law appears appropriate as to form and it appearing appropriate for a Public Hearing to be scheduled so as to consider public comments on such proposed Local Law,

NOW, THEREFORE BE IT RESOLVED, that proposed Local Law No. 6 of the year 2020 is hereby approved as to form, and

BE IT FURTHER RESOLVED, that a Public Hearing will be held at 6:30 p.m. on July 1st, 2020, at the City Hall of the City of Rensselaer located at 62 Washington Street, Rensselaer, New York, so as to allow the Common Council to hear Public Comment on proposed Local Law No. 6 of 2020, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

Approved as to form and sufficiency
this _____ day of June, 2020

Corporation Counsel

Mayor

CITY OF RENSSELAER

LOCAL LAW NO. 6 OF THE YEAR 2020.

A Local Law

**To Amend Title IV, Section 77, of the Charter of
the City of Rensselaer, New York, Relative to
the Auditing and Payment of Claims**

Be it enacted by the Common Council of the City of Rensselaer as follows:

ARTICLE I. INTENT

This Local Law shall be known as Local Law No. 6 of 2020, and shall amend Title IV, Section 77, of the Charter of the City of Rensselaer, New York, relating to the Auditing and Payment of Claims against the City of Rensselaer. This Local Law amends and supersedes all previously adopted Local Laws concerning such Auditing and Payment of Claims of Vendors servicing the City of Rensselaer. The purpose of this Local Law is to update Section 77 of the City Charter to meet the provision contained in Section 64 of the New York State Second Class Cities Law.

ARTICLE II. LEGISLATIVE ACTION

The Common Council of the City of Rensselaer, New York, hereby amends Article II, Section 155-4(B)(1), of the Code of the City of Rensselaer, New York, so as to read as follows:

§ 77. Claims against the City. No claim against the City except for a fixed salary, for the principal or interest on a bonded or funded debt or other loan, or for the regular or stated compensation of officers or employees in any city department, or for work performed or materials furnished under contract with the City, shall be paid unless a claim therefor, in such form as the Comptroller shall prescribe, and approved by the head of the department or officer whose action gave rise or origin to the claim, shall have been presented to the Comptroller, and shall have been audited and allowed by the Comptroller. The Common Council, by resolution, may require that claims be certified or that they be verified by oath of the claimant or claimant's duly authorized agent. The Comptroller shall cause each such claim, upon presentation to the Comptroller for audit, to be numbered consecutively and the number, date of presentation, name of claimant and brief statement of character of each claim shall be entered in a book or computer ledger kept for such purpose, which shall at all times during normal office hours the Comptroller be so placed as to be convenient for public inspection and examination. No claim shall be audited or paid until at least five days have elapsed after its presentation to the Comptroller, and the Comptroller shall not be required to audit a claim until two weeks have expired after the expiration of such period of five days. Notwithstanding the foregoing, the Comptroller is hereby authorized to pay by direct withdrawal from City funds normal and customary cyclical bills of the City for ongoing services, such as utilities, insurances, and the like, so as to avoid otherwise applicable penalties and late fees. Such payments still

are subject to audit and review. The Comptroller is authorized, in considering a claim, to require any person presenting the same for audit to be sworn before the Comptroller, and to give testimony touching upon the justness and accuracy of such claim, and to take evidence and examine witnesses in reference to the claim, and for that purpose, the Comptroller may issue subpoenas for the attendance of witnesses. If the claimant be dissatisfied with the audit the claimant may appeal to the Common Council by serving a notice of appeal in writing upon the Comptroller and the Common Council at any time before the first regular meeting of the Common Council that is held after the claimant receives the Comptroller's audit. If the Common Council, or any taxpayer be dissatisfied with such audit, the Common Council, or the taxpayer, may appeal to the Common Council, in like manner, by serving a written notice of appeal upon the claimant and the Comptroller and the Treasurer within ten days after the meeting of the Common Council at which such claims shall have been reported by the Comptroller. The Common Council shall make rules for the procedure upon the hearing of such appeals and the decision and audit of the Common Council, after the hearing upon the appeal to it, shall be final and conclusive as to the amount of the claim; but if there be no appeal from the original audit it shall in like manner be final and conclusive. The Comptroller and the Common Council upon an appeal to it, as herein provided, shall have authority to take evidence and examine witnesses in reference to the claim and for that purpose may issue subpoenas for the attendance of witnesses; and the Comptroller and each member of the Common Council is hereby declared to be ex officio a commissioner of deeds. When a claim has been finally audited by the Comptroller, the Comptroller shall indorse thereon or attach thereto the Comptroller's certificate as to such audit, and the same shall thereupon be filed in and remain a public record in the office of the Comptroller. If any person shall present to the Comptroller for audit a claim in the name of any person or firm other than that of the actual claimant that person shall be guilty of a misdemeanor.

ARTICLE III. EFFECTIVE DATE

This Law shall take effect immediately upon its filing with the Office of the Secretary of State.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 6 of 2020 of the City of Rensselaer was duly passed by the Common Council on _____, 2020, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 6 of 2020 of the City of Rensselaer was duly passed by the Common Council on _____, 2020, and was (approved)(not approved) (repassed after disapproval) by the Elective Chief Executive Officer*, Mayor Michael Stammel, and was deemed duly adopted on _____, 2020.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 200____ of the _____ was duly passed by the _____ on _____, 200____, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Executive Officer*, _____ on _____, 200____. Such Local Law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 200____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 6 of 2000 of the City of Rensselaer was duly passed by the Common Council on _____, 2000, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Officer*, Mayor Michael Stammel, on _____, 2000. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 2000, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 200____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 200____, became operative.

* Elective Chief Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 200____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 200____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)

Clerk of the County Legislative Body, City, Town or Village
Clerk or officer designated by local legislative body
CITY CLERK

Date: _____

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

State of New York
County of Rensselaer

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

Corporation Counsel
Title

CITY OF: RENSELAER

Date: _____