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By Alderperson : COUNCIL AS A WHOLE

Seconded by Alderperson : _____

**A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 6 OF 2021 AMENDING
TITLE II, SECTION 32 OF THE CITY CHARTER (OFFICERS AND EMPLOYEES
NOT TO BE INTERESTED IN CONTRACTS) AS TO FORM AND SCHEDULING A
PUBLIC HEARING THEREON**

WHEREAS, the City of Rensselaer is desirous of updating Title II, Section 32 of the City Charter so as to allow City Officers and Employees to purchase vacant land from the City as Abutting Landowners; and

WHEREAS, the Common Council has reviewed proposed Local Law No. 6 of the year 2021, attached hereto; 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 IS RESOLVED, that proposed Local Law No. 6 of the year 2021 is hereby approved as to form; and

BE IT FURTHER RESOLVED, that a Public Hearing will be held at 6:30 pm on June 16, 2021, at the City Hall of the City of Rensselaer located at 62 Washington Street, Rensselaer, New York, so as to the allow the Common Council to hear Public Comment on proposed Local Law No. 6 of 2021; 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 7 day of June, 2021


Corporation Counsel

SO APPROVED!


Mayor

James Van Vorst	☒ Aye	☐ No	☐ Abstain	☐ Absent
Dave Gardner	☒ Aye	☐ No	☐ Abstain	☐ Absent
Bryan Leahey	☒ Aye	☐ No	☐ Abstain	☐ Absent
James Casey	☐ Aye	☐ No	☐ Abstain	☒ Absent
Eric Endres	☒ Aye	☐ No	☐ Abstain	☐ Absent
Margaret Van Dyke	☒ Aye	☐ No	☐ Abstain	☐ Absent
John DeFrancesco	☒ Aye	☐ No	☐ Abstain	☐ Absent
Vote Totals	6 Aye	0 No	Abstain	Absent
Result	PASSED			

CITY OF RENSSELAER

LOCAL LAW NO. 6 OF THE YEAR 2021.

**A Local Law to Amend Title II, Section
32 of the Charter of the City of
Rensselaer, New York, Relative to
Officers and Employees Not to Be
Interested in Contracts**

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 2021, and shall amend Title II, Section 32 of the Charter of the City of Rensselaer, New York, relating to Officers and Employees not to be Interested in Contracts. This Local Law amends and supersedes all previously adopted Local Laws concerning such Section of the Charter of the City of Rensselaer. The purpose of this Local Law is to update such Section of the City Code so as to allow Officers and Employees to purchase vacant land from the City if they are doing so as abutting landowners.

ARTICLE II. LEGISLATIVE ACTION

The Common Council of the City of Rensselaer, New York, hereby amends Title II, Section 32 of the Charter of the City of Rensselaer, New York, so as to read as follows:

§ 32. Officers and employees not to be interested in contracts.

No member of the Common Council or officer or employee of the city or person receiving a salary or compensation from funds appropriated by the city shall be interested directly or indirectly in any contract to which the city is a party, either as principal, surety or otherwise, nor shall any such member of the Common Council, city officers or employee or person of the firm of which he is a partner purchase from or sell to the city or any officer thereof any real or personal property for the use of the city or any commission or officer thereon, nor shall he be interested directly or indirectly in any work to be performed for or service rendered to or for it or anything sold to or from said city or to any officer, board, commission or person in its behalf. Any contract made in violation of any of these provisions shall be void. A person

shall not be deemed interested in a contract, purchase or sale made by a corporation with, from or to the city solely by reason of the fact that he is a stockholder, director and/or trustee of such corporation. The term "city officer," as used herein, however, shall not be deemed to include a Commissioner of Deeds or City Marshal. Notwithstanding anything contained herein to the contrary, it shall not be the intent of this legislation to prohibit members of the Common Council or officers or employees of the city or persons receiving a salary or compensation from funds appropriated by the city (hereafter sometimes referred to as "borrower") to apply for a loan from the city, in accordance with one of the city's established loan programs, and for said persons to enter into such agreements as are customarily entered into by the borrower in said loan programs. Under no circumstances shall a loan agreement, promissory note, mortgage or other agreement entered into between the borrower and the city be considered void as a result of this provision. The provisions in this Section shall not apply to sales of vacant land to abutting landowners.

ARTICLE III. EFFECTIVE DATE

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

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

**§ 32. Officers and employees not to be interested in contracts.
[Amended by L.L. No. 4956; L.L. No. 3-1990; L.L. No. 3-1995]**

No member of the Common Council or officer or employee of the city or person receiving a salary or compensation from funds appropriated by the city shall be interested directly or indirectly in any contract to which the city is a party, either as principal, surety or otherwise, nor shall any such member of the Common Council, city officers or employee or person of the firm of which he is a partner purchase from or sell to the city or any officer thereof any real or personal property for the use of the city or any commission or officer thereon, nor shall he be interested directly or indirectly in any work to be performed for or service rendered to or for it or anything sold to or from said city or to any officer, board, commission or person in its behalf. Any contract made in violation of any of these provisions shall be void. A person shall not be deemed interested in a contract, purchase or sale made by a corporation with, from or to the city solely by reason of the fact that he is a stockholder, director and/or trustee of such corporation. The term "city officer," as used herein, however, shall not be deemed to include a Commissioner of Deeds or City Marshal. Notwithstanding anything contained herein to the contrary, it shall not be the intent of this legislation to prohibit members of the Common Council or officers or employees of the city or persons receiving a salary or compensation from funds appropriated by the city (hereafter sometimes referred to as "borrower") to apply for a loan from the city, in accordance with one of the city's established loan programs, and for said persons to enter into such agreements as are customarily entered into by the borrower in said loan programs. Under no circumstances shall a loan agreement, promissory note, mortgage or other agreement entered into between the borrower and the city be considered void as a result of this provision.