

CITY OF RENSSELAER

OFFICE OF THE CITY CLERK

CITY HALL
62 WASHINGTON STREET
RENSSELAER, NEW YORK 12144

(518) 462-4266
Fax: (518) 462-0890

AGENDA COMMON COUNCIL MEETING OCTOBER 6, 2021

1. A RESOLUTION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF RENSSELAER
2. RESOLUTION DESIGNATING OCTOBER AS BREAST CANCER AWARENESS MONTH IN THE CITY OF RENSSELAER
3. A RESOLUTION AUTHORIZING REFUND
4. A RESOLUTION AUTHORIZING REFUND
5. A RESOLUTION AUTHORIZING CONTRACT WITH EGS ADVANCED ENERGY SOLUTIONS, INC., FOR UTILITY AUDIT SERVICES-RENSSELAER DEPARTMENT OF PUBLIC WORKS
6. A RESOLUTION TO APPROVE PROPOSED LOCAL LAW #4 OF 2021 TO FORM AND SCHEDULING A PUBLIC HEARING THEREON
7. A RESOLUTION TO APPROVE PROPOSED LOCAL LAW #10 AS TO FORM AND SCHEDULING A PUBLIC HEARING THEREON
8. A RESOLUTION TO APPROVE PROPOSED LOCAL LAW #11 AS TO FORM AND SCHEDULING A PUBLIC HEARING THEREON

9. A RESOLUTION TO APPROVE PURCHASE OF A VEHICLE FOR THE BUILDING
DEPARTMENT-RENSSELAER BUILDING DEPARTMENT

10. A RESOLUTION TO OVERRIDE VETO OF MAYOR OF PRIOR RESOLUTION NUMBER 3
ADOPTED BY THE COMMON COUNCIL ON SEPTEMBER 15, 2021 WHICH WAS A
RESOLUTION DIRECTING THE CITY ENGINEER TO OVERSEE THE UPDATING OF
STREET PAVEMENT MARKINGS AND PLACEMENT OF NON-PARKING TRAFFIC
CONTROL DEVICES-RENSSELAER COMMON COUNCIL

11. RESOLUTION AUTHORIZING REFUND

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By Alderperson:

Council as a Whole

Seconded by Alderperson:

RESOLUTION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF RENSSELAER

WHEREAS, Domestic Violence impacts countless New Yorkers, without regard to age, race, religion, or economic status; 32.3% of New York women and 33.5% of New York men experience intimate partner physical violence, sexual violence, and/or stalking in their lifetimes. 12.1% of high school students in New York State reported having been physically hurt by a significant other in the past year; 11.8% reported experiencing sexual dating violence. On a typical day, domestic violence hotlines receive approximately 21,000 calls, an average of close to 15 calls every minute. 72% of all murder-suicides involved an intimate partner; 94% of the victims of these crimes are female. As victims suffer at the hands of a spouse or partner it affects their children, families, and entire communities; and

WHEREAS, the City of Rensselaer Common Council is desirous of showing support, awareness, and commitment to the issue of Domestic Violence in our City by joining with Ashley Hart, Founder of 2Harts One Soul Inc. in turning City Hall Purple by the placement of purple light bulbs within the windows of our building at 62 Washington Street; and

WHEREAS, the City of Rensselaer Common Council joins with others across New York State and the Nation in supporting victims of domestic violence and share the worthy goals of this month-long observance, and likewise support the work of public and private entities that strive to provide the best response to domestic violence in communities across the state.

NOW, THEREFORE, BE IT RESOLVED, that the City of Rensselaer Common Council does hereby designate October, 2021 as Domestic Violence Awareness Month in Rensselaer, NY.

Approved as to form and sufficiency
This 6th day of October, 2021

Corporation Counsel

Approved by:

Mayor

#2

By Alderperson:

Council as a Whole

Seconded by Alderperson:

**RESOLUTION DESIGNATING OCTOBER AS BREAST CANCER
AWARENESS MONTH IN THE CITY OF RENSSELAER**

WHEREAS, In 2021, an estimated 281,550 new cases of invasive breast cancer are expected to be diagnosed in women in the United States along with 49,290 new cases of non-invasive breast cancer; and

WHEREAS, Breast cancer is the second leading cause of cancer death in women in the United States after lung cancer. In 2021, it is estimated that 43,600 women and 530 men will die of breast cancer with 3.8 million individuals living with a history of breast cancer in the United States; and

WHEREAS, promoting awareness and the importance of early detection and mammography is key in decreasing these numbers and promoting civic responsibility among our residents.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Rensselaer hereby declares October as Breast Cancer Awareness Month in the City of Rensselaer.

Approved as to form and sufficiency
This 6th day of October, 2021

Corporation Counsel

Approved by:

Mayor

By Alderperson:

COUNCIL AS A WHOLE

#3

Seconded by Alderperson:

RESOLUTION AUTHORIZING REFUND

WHEREAS, Thomas LaDuke is the owner of 59-63 Washington Street in the City Rensselaer, Parcel ID: 143.75-2-12.2, and was charged \$4,738.75 for his 2021-2022 City Tax Bill, which he paid initially on August 6, 2021. He then paid the same tax bill again on August 27, 2021 in the same amount of \$4,738.75. Both check payments have cleared the bank account of the City of Rensselaer. Mr. LaDuke has now made a request for a refund of the double payment made inadvertently, and

WHEREAS, the City of Rensselaer Treasurer has confirmed that such amount of \$4,738.75 should be refunded to Thomas LaDuke, and it is

NOW THEREFORE RESOLVED, that the payment of \$4,738.75 be refunded to Thomas LaDuke for the above stated reasons.

Approved as to form and sufficiency
this _____ day of _____, 2021

Corporation Counsel

Approved by:

Mayor

CITY OF RENSSELAER, NEW YORK

9/15/21

Parcel Status Report

Page 1 of 2

District: 381400

Parcel ID: 143.75-2-12.2

Owner: Laduke Thomas

Location: 59-63 Washington St

Known Parcel History.....

Tax year and type	Bill#	Paid Date	Type	Base tax	Interest	Penalty	Total Due	Total paid
2017-2018 City								
Rensselaer City Tax	002959	08/29/17	Paid	\$4,447.24				
Totals:				\$4,447.24	\$0.00	\$0.00	\$0.00	\$4,447.24
2017-2018 School								
Rens City School Tax	002959	08/24/17	Paid	\$4,749.61				
Totals:				\$4,749.61	\$0.00	\$0.00	\$0.00	\$4,749.61
2018-2019 City								
Rensselaer City Tax	002958	08/28/18	Paid	\$4,525.55				
Totals:				\$4,525.55	\$0.00	\$0.00	\$0.00	\$4,525.55
2018-2019 School								
	002958	08/28/18	Paid	\$5,126.13				
STAR TAX SAVINGS	002958	08/28/18	Paid	\$0.00				
Totals:				\$5,126.13	\$0.00	\$0.00	\$0.00	\$5,126.13
2018 County								
N Y Mandates County	002961	01/30/18	Paid	\$1,855.11				
Charge Backs County	002961	01/30/18	Paid	\$281.62				
Totals:				\$2,136.73	\$0.00	\$0.00	\$0.00	\$2,136.73
2019-2020 City								
Rensselaer City Tax	002948	08/15/19	Paid	\$4,622.87				
Totals:				\$4,622.87	\$0.00	\$0.00	\$0.00	\$4,622.87
2019-2020 School								
Rens City School Tax	002948	08/15/19	Paid	\$5,384.73				
Totals:				\$5,384.73	\$0.00	\$0.00	\$0.00	\$5,384.73
2019 County								
N Y Mandates County	002958	01/10/19	Paid	\$2,060.44				
Charge Backs County	002958	01/10/19	Paid	\$261.00				
Totals:				\$2,321.44	\$0.00	\$0.00	\$0.00	\$2,321.44
2020-2021 City								
Rensselaer City Tax	002921	08/26/20	Paid	\$4,630.84				
Totals:				\$4,630.84	\$0.00	\$0.00	\$0.00	\$4,630.84
2020-2021 School								
Rens City School Tax	002921	08/26/20	Paid	\$5,306.13				
Totals:				\$5,306.13	\$0.00	\$0.00	\$0.00	\$5,306.13

CITY OF RENSSELAER, NEW YORK

9/15/21

Parcel Status Report

Page 2 of 2

2020 County

N Y Mandates County	002951	01/31/20 Paid	\$2,048.89
Charge Backs County	002951	01/31/20 Paid	\$313.01

Totals:	\$2,361.90	\$0.00	\$0.00	\$0.00	\$2,361.90
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2021-2022 City

Rensselaer City Tax	002881	08/06/	\$4,738.75
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Totals:		\$0.00	\$0.00	\$4,738.75
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2021 County

N Y Mandates County	002922	01/04/21 Paid	\$2,166.38
Charge Backs County	002922	01/04/21 Paid	\$310.13

Totals:	\$2,476.51	\$0.00	\$0.00	\$0.00	\$2,476.51
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Grand totals as of: 9/15/21

\$52,828.43	\$0.00	\$0.00	0.00	\$52,828.43
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End of Search

By Alderperson:

COUNCIL AS A WHOLE

Seconded by Alderperson:

RESOLUTION AUTHORIZING REFUND

WHEREAS, Richard D. Dodt is the owner of 56 Pailition Street in the City Rensselaer, Parcel ID: 144.45-12-9, and was charged \$742.79 for his 2021-2022 City Tax Bill, which he paid on August 20, 2021. It was later discerned that his assessment was miscalculated and his actual tax bill should have been \$412.66. Mr. Dodt has now made a request for a refund of the over payment of \$330.13, and

WHEREAS, the City of Rensselaer Treasurer has confirmed that such amount of \$330.13 should be refunded to Mr. Dodt, and it is

NOW THEREFORE RESOLVED, that the payment of \$330.13 be refunded to Richard D. Dodt for the above stated reasons.

Approved as to form and sufficiency
this _____ day of _____, 2021

Corporation Counsel

Approved by:




Mayor

62 Washington St.
Rensselaer ,NY 12144

Posted: 8/20/21
Receipt 36304

Tax Receipt

Dodt Richard D



 a

Description of Property

Parcel ID 381400 144.45-12-9
Owner: Dodt **Richard**
Location: 56 Partition St

Bill Number	<u>Account</u>	<u>Description</u>	<u>Amount</u>
001752	A.0290	Bill Item - Rensselaer City Tax	<u>742.79</u>
	Payment by Cash, total received:		742.79

Received \$742.79 in Full payment of the 2021-2022 City taxes,

4

WRK
TEDepartment of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-5:5;4
("12/19)

Names of owners Richard Oodt					
Mailing address of owners (number and street or PO box)			Location of property (street address) 56 Partition Street		
City, village, or post office ██████	State NY	ZIP code 12206	City, town, or village Rensselaer	State	ZIP code
Daytime contact number		Evening contact number		Tax map number or section/block/lot: Property Identification (see tax bill or assessment, 111,111,111)	
Account number (as appears on tax bill)		Amount of taxes currently billed 742.79			
Reasons for requesting a correction to tax roll. Clerical Error Sect 550(2c) Incorrect Disl Exemption. Should be 50%. Assessed Value 15,100 Less Disl Exemption of 7,550 = New Taxable Value 7,550.					

I hereby request a correction of tax levied by County of Rensselaer for the year(s) 2021
(County, city, village, etc.)

Signature of applicant <i>x Richard Oodt</i>	Date <i>8/7/21</i>
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Part 2 - To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <11,11,11	Period of warrant for collection of taxes
Last day for collection of taxes without interest <i>[Signature]</i>	Recommendation <u>Approve application</u> <u>Deny application</u> <input checked="" type="checkbox"/>
Signature of official <i>[Signature]</i>	Date Orlir "L"

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of _____ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 - For use by the tax levying body or official designated by resolution _____
(insert number or date, if applicable)

Application approved (mark an X in the applicable box):

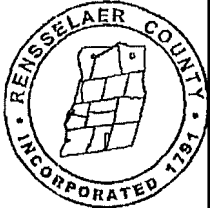
Clerical error Error in essential fact **D** Unlawful Entry **D**

Amount of taxes currently billed 742.79	Corrected tax 412.66
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application dated (re-evaluated):

Signature of official who reviewed and recommended this application

Date of review



RENSSELAER COUNTY BUREAU OF TAX SERVICES

Steven F. McLaughlin
County Executive

William J. Film
Director

To Whom It May Concern:

I hereby certify that I have investigated the Application for Connected Real Property Tax

submitted by _____; Real Property Tax Data

_____ 381400 144.45 12-9 2021

and find the information to be correct.

Clerical Error Section 550(2c) Incorrect DisLi Ex. Should be 50% Assessed Value 15,100

Less Dis Li Ex of 7,550.

The original and copy of the application are enclosed for your approval and action.

William J. Film / Director

8-11-21

Date

#5

By Alderperson:

COUNCIL AS A WHOLE

Seconded by Alderperson:

**RESOLUTION AUTHORIZING CONTRACT WITH EGS ADVANCED
ENERGY SOLUTIONS, INC., FOR UTILITY AUDIT SERVICES -
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the City of Rensselaer desires to utilize the services of EGS Advanced Energy Solutions, Inc. pursuant to the attached Utility Audit Agreement, for the purpose of auditing Utility Service paid for by the City of Rensselaer at a contingency fee amount of Fifty (50%) Percent of costs saved or recovered as a result of such Audit, and

WHEREAS, good and valuable consideration being mutually offered and accepted between the Parties as set forth in the Agreement,

NOW, THEREFORE BE IT RESOLVED, that on behalf of the City of Rensselaer, the attached Agreement EGS Advanced Energy Solutions, Inc., is hereby approved, and the Mayor is authorized to execute such Agreement on behalf of the City of Rensselaer.

Approved as to form and sufficiency
this day of , 2021

Corporation Counsel

Approved by:

Mayor



Advanced Energy Solutions, Inc.

FORENSIC BILL AUDITING AGREEMENT

An agreement is hereby entered into between City of Rensselaer and EGS Advanced Energy Solutions under the following terms and conditions:

EGS Advanced Energy Solutions will audit all of the client's Utility (telephone, gas, electric, etc.) billing charges. If we find any errors, we will negotiate with the appropriate provider to have the errors eliminated and obtain a refund or credit for the period of time that the error existed.

FEE

- 1) Our fee is SO % of the amount of past overcharges credited to and collected by the client. If we do not obtain a refund or credit, there is no fee at all.
- 2) Our fee is 50 % of the "savings" for the first 12 months. This savings is achieved with the current provider. "Savings" includes elimination of items no longer being used, correction of taxes and surcharges, and billing platform changes. The future savings fee is billed in a lump sum at the completion of the 12-month period after the customer has realized the reductions.
- 3) for EGS's Refund Audit. The terms of this Agreement shall remain confidential.
- 4) Client may terminate this Agreement by giving EGS 30 days advance written notice. In the event of termination, Client shall continue to pay to EGS its fee due based on any refunds, credits and/or reductions obtained or realized pursuant to the terms of this Agreement as of the date of termination.
- 5) Client agrees to approve (and sign if requested) any papers the carrier or provider may need or require in order to process claims and/or secure funds, credits and reductions due the Client.
- 6) All payment of fees are due within 30 days of being invoiced. Any payment made after 30 days shall be assessed a late payment charge of 1.5% per month.
- 7) Should EGS be compelled to institute any court proceedings or to engage counsel for the purpose of collecting a FEE due under this Agreement, then Client shall be responsible to reimburse EGS for the reasonable fees, including attorney's fees, and costs incurred in such processing. This Agreement shall be governed by the law of the State of New York.

Dated this----- day of _____ 202--

Company

Name: _____

Authorized

By: _____

Printed

Name: _____

Title: _____

Date: _____

Company

Name: EGS Advanced Energy Solutions

Authorized

By: S _____

Printed

Name: Jeffrey Sapirman _____

Title: Executive Vice President _____

Date: 9/27/2021 _____

Best Point of Contact:

Name: _____

Title: _____

Phone

Number: 315-297-7777 _____

Email: jeffrey@egs-aes.com _____

By Alderperson

COUNCIL AS AWHOLE

Seconded by Alderperson

**A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 4 OF 2021 AS TO FORM AND
SCHEDULING A PUBLIC HEARING**

WHEREAS, The City of Rensselaer is desirous of amending Chapter 101 of the City Code of the City of Rensselaer, New York, relative to the Uniform Fire Prevention and Building Code as well as the State Energy Conservation Construction Code so as to bring such provisions into conformity with the Laws of the State of New York, and

WHEREAS, the Common Council has reviewed proposed Local Law No. 4 of the year 2021, and the City of Rensselaer Planning Commission having completed SEQR Review of such Local Law and having issued a Negative Declaration relating thereto, and having further recommended adoption of such Local Law, 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. 4 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 October 20, 2021, 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. 4 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 ____ day of _____, 2021

Corporation Counsel

So Approved!

Mayor

By Alderperson

COUNCIL AS A WHOLE

#1

Seconded by Alderperson

**A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 4 OF 2021 AS TO FORM AND
REFERRING SAME TO THE CITY PLANNING COMMISSION**

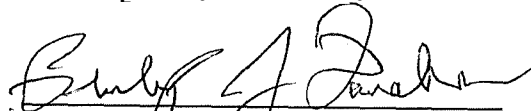
WHEREAS, The City of Rensselaer is desirous of amending Chapter 101 of the City Code of the City of Rensselaer, New York, relative to the Uniform Fire Prevention and Building Code as well as the State Energy Conservation Construction Code so as to bring such provisions into conformity with the Laws of the State of New York, and

WHEREAS, the Common Council has reviewed proposed Local Law No. 4 of the year 2021, and

WHEREAS, such Local Law appears appropriate as to form and it appearing appropriate for referral of such Local Law to the City Planning Commission pursuant to City Code Section 179-99(8) for review and recommendation, as well as SEQRA review,

NOW, THEREFORE BE IT RESOLVED, that proposed Local Law No. 4 of the year 2021 is hereby approved as to form, and is referred to the City Planning Commission for the purposes set forth above.

Approved as to form and sufficiency
this 11 day of February, 2021


Corporation Counsel


Mayor

James Van Vorst	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
Dave Gardner	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
an Leahy	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
Jwm-s Casc, L	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
Enc Endres	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
Mar ct \ an Dyk	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
John Dd ra...n ScCo	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
VIXCTotals	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain
Result	PASSED		

CITY OF RENSSELAER

LOCAL LAW NO. 4 OF THE YEAR 2021.

**A Local Law to Amend Chapter 101 of the
Rensselaer City Code - Fire Prevention and
Building Code, Uniform**

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

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the *City of Rensselaer*. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law. The provisions of this Local Law supersede all previously adopted City of Rensselaer City Code provisions contrary to the provisions contained in this Local Law.

SECTION 2. DEFINITIONS

In this local law:

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy"/ "Certificate of Compliance" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"City" shall mean the City of Rensselaer.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Energy Code" shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit"

shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Order to Remedy" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 16 of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

- (1) to receive, review, and approve or disapprove applications for Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;
- (2) upon approval of such applications, to issue Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, and to include in Building Permits, *Certificates of Occupancy/ Certificates of Compliance*. Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
- (3) to conduct construction inspections, inspections to be made prior to the issuance of *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;
- (4) to issue Stop Work Orders;
- (5) to review and investigate complaints;
- (6) to issue orders pursuant to subdivision (a) of section 16 (Violations) of this local law;
- (7) to maintain records;
- (8) to collect fees as set by the Common Council of the *City of Rensselaer*,

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this City attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Mayor of the City of Rensselaer. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Mayor of the City of Rensselaer to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors may be appointed by the Mayor of the City of Rensselaer to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Common Council of the *City of Rensselaer*.

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit, paving of driveway, installation of a fence. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(5) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work;

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the

location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within [6] months following the date of issuance. Building Permits shall expire [12] months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

U) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder

shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and
- (10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by *registered mail/certified mail*. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by *registered mail/certified mail*, provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 16 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. [CERTIFICATES OF OCCUPANCY/ CERTIFICATES OF COMPLIANCE]

(a) *Certificates of Occupancy/ Certificates of Compliance* required. A *Certificate of Occupancy/ Certificate of Compliance* shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a *Certificate of Occupancy/ Certificate of Compliance*.

(b) Issuance of *Certificates of Occupancy/ Certificates of Compliance*. The Code Enforcement Officer shall issue a *Certificate of Occupancy/ Certificate of Compliance* if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a *Certificate of Occupancy/ Certificate of Compliance*. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the *Certificate of Occupancy/ Certificate of Compliance*, shall be provided to the Code Enforcement Officer prior to the issuance of the *Certificate of Occupancy/ Certificate of Compliance*.

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of *Certificates of Occupancy/ Certificates of Compliance*. A *Certificate of Occupancy/ Certificate of Compliance* shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the *Certificate of Occupancy/ Certificate of Compliance* is not applicable to an entire structure, a description of that portion of the structure for which the *Certificate of Occupancy/ Certificate of Compliance* is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the *Certificate of Occupancy / Certificate of Compliance* and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a *Certificate of Occupancy/ Certificate of Compliance* or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a *Certificate of Occupancy/ Certificate of Compliance* or for Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing fire fighting services for a property within the *City of Rensselaer* shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in the *City of Rensselaer* shall be identified and addressed in accordance with the procedures established by Local Law Number 3 of 1991, as now in effect or as amended from time to time.

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any activity listed in paragraphs (1), (2), or (3) below or operating any type of building or structure listed in paragraphs (4), (5), or (6) below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3), 5003.1.1(4) of the 2015 edition of the International Fire Code (a publication currently incorporated by reference in 19 NYCRR Part 1225 or its' successors thereto);

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more;

(5) parking garages as defined in subdivision (a) of section 13 of this local law; and

(6) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Common Council of the *City of Rensselaer*.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

- (1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.
- (2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.
- (3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every twelve (12) months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
- (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
- (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.
Notwithstanding any other provision of this section to the contrary:

- (1) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;*
- (2) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;*
- (3) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section; and*

(4) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a non-residential building, structure, use or occupancy not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such non-residential building, structure, use or occupancy at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section.]

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, *ordinance* or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 16 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

(a) Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(i) buildings in which the only level used for parking or storage of motor vehicles is on grade;

(ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the 2015 edition of the International Property Maintenance Code (a publication currently incorporated by reference in 19 NYCRR Part 1226); and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments - general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the [City/ Town/ Village], in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

ay, by resolution, authorize the Mayor of the City of Rensselaer to enter into an agreement, in the name allows:

(1) New parking garages shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure,

(2) Existing parking garages shall undergo an initial condition assessment as follows:

- (i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
- (ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
- (iii) if originally constructed between January 1, 2003 and the effective date of the rule adding this subdivision to 19 NYCRR section 1203.3, then prior to October 1, 2021.

(d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed twelve (12) months.

(e) Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the *City of Rensselaer* shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the *City of Rensselaer* becomes aware of any new or increased deterioration which, in the judgment of the *City of Rensselaer*, indicates that an additional condition assessment of the entire parking garage, or of the portion of the

parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the *City of Rensselaer* shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the *City of Rensselaer* to be appropriate.

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the *City of Rensselaer* within such time as fixed by the *City of Rensselaer* or thirty (30) days, whichever is shorter. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(3) an evaluation and description of the unsafe conditions;

(4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

(5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in his or her professional judgment.

(g) Review Condition Assessment Reports. The *City of Rensselaer* shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the *City of Rensselaer* shall, by Order to Remedy or such other means of enforcement as the *City of Rensselaer* may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the *City of Rensselaer*

to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(h) The *City of Rensselaer* shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the *City of Rensselaer* with a written statement attesting to the fact that he or she has been so engaged, the *City of Rensselaer* shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The *City of Rensselaer* shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(i) This section shall not limit or impair the right or the obligation of the *City of Rensselaer*.

(1) to perform such construction inspections as are required by section 5 of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the *City of Rensselaer* by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 14. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

(8) all condition assessment reports received;

(9) all other features and activities specified in or contemplated by sections 4 through 13, inclusive, of this local law, including; and

(10) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 15. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Common Council of the City of Rensselaer a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this City on a form prescribed by the Secretary of State, a report of the activities of this City relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this City is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this City in connection with administration and enforcement of the Uniform Code.

SECTION 16: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by_ *[specify date]*, which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil Penalties. In addition to those penalties prescribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, *Certificate of Occupancy/ Certificate of Compliance*, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the *City of Rensselaer*.

(d)) Injunctive Relief. An action or proceeding may be instituted in the name of the *City of Rensselaer*, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, *Certificate of Occupancy/ Certificate of Compliance*, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of the *City of Rensselaer*, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Corporation Counsel of the *City of Rensselaer*.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 17: FEES

A fee schedule shall be established by resolution of the Common Council of the *City of Rensselaer*. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, *Certificates of occupancy/ Certificates of Compliance*, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 18. INTERMUNICIPAL AGREEMENTS

The Common Council of the *City of Rensselaer* may, by resolution, authorize the Mayor of the *City of Rensselaer* to enter into an agreement, in the name of the *City of Rensselaer*, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 19. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 20. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Minutes of the Special Meeting of the City of Rensselaer Planning Commission
March 10th 2021

Members Present:

Ray Stevens (via zoom), Ed Schillaci, Fred Weakley, Salena Dabbs

Staff Present:

Ketura Vies, Director (Planning Office)

Call to Order:

Ed Schillaci (Vice Chair) called the meeting of the City of Rensselaer Planning Commission to order at 6:30 PM. Roll call was taken; quorum was established

Communications:

New Business

Chapter 101 of the Rensselaer City Code: The Commission discussed the proposed amendments to Ch. 101 of the Rensselaer City Code and made the following motions:

1. Motion to declare City of Rensselaer Planning Commission Lead Agency for Local Law No. 4 - 2021 adoption made by Salena Dabbs, motion seconded by Ed Schillaci. All were in favor and none were opposed. The motion carried.
2. Motion to make a negative SEQR declaration for Local Law No. 4 - 2021 made by Ray Stevens and seconded by Ed Schillaci. All were in favor and none opposed. The motion carried.
3. Motion to recommend Local Law No 4. - 2021 to the City of Rensselaer Common Council for approval was made by Ray Stevens and seconded by Fred Weakley. All were in favor and none opposed. The motion carried.

Adjournment:

Motion to adjourn made by Commission member Salena Dabbs and was seconded by Ed Schillaci. Meeting was adjourned at 6:45 PM.

Next Meeting :

The next regular meeting is scheduled for **April 12th 2021, at 6:30PM.**

Record of Decisions:

An official record of decisions noting the details of motions and votes from this meeting along with any conditions & stipulations of approval has been filed with the City Clerk and a copy maintained in Planning Department records.

Respectfully Submitted,

Ketura Vies, M.R.P.,
Director
Office of Planning and Development

#7

By Alderperson

COUNCIL AS A WHOLE

Seconded by Alderperson

**A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 10 OF 2021 AS TO
FORM AND SCHEDULING A PUBLIC HEARING THEREON**

WHEREAS, the City of Rensselaer is desirous of establishing a Local Law to Create Section 28-4(A)(9) of the City Code relative to Powers and Duties of the City of Rensselaer Loan Review Committee; and

WHEREAS, the Common Council has reviewed proposed Local Law No. 10 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. 10 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 October 20, 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. 10 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____ day of October, 2021

Corporation Counsel

So Approved:

Mayor

CITY OF RENSSELAER

LOCAL LAW NO. 10 OF THE YEAR 2021.

**A Local Law to Create Section 28-4
(A)(9) of the Code of the City of
Rensselaer, New York, Relative to the
Powers and Duties of the City of
Rensselaer Loan Review Committee**

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. 10 of 2021, and shall create Section 28-4 of the Code of the City of Rensselaer, New York, relating to the Powers and Duties of the City of Rensselaer Loan Review Committee. The purpose of this Local Law is to make it clear that no Applicant for a loan from the City of Rensselaer will be approved unless such Applicant is current on all City financial obligations, including, but not limited to, City taxes, charges, fees, penalties and fines.

ARTICLE II. LEGISLATIVE ACTION

The Common Council of the City of Rensselaer, New York, hereby creates Section 28-4 (A)(9) of the Code of the City of Rensselaer, New York, so as to read as follows:

§ 28-4. Powers and duties.

A.

(9) No Applicant for a loan from the City of Rensselaer will be approved unless such Applicant is current on all City financial obligations, including, but not limited to, City taxes, charges, fees, penalties and fines.

By Alderperson

COUNCIL AS A WHOLE

#8

Seconded by Alderperson

**A RESOLUTION TO APPROVE PROPOSED LOCAL LAW NO. 11 OF 2021 AS TO
FORM AND SCHEDULING A PUBLIC HEARING THEREON**

WHEREAS, the City of Rensselaer is desirous of establishing a Local Law to further amend Chapter 101 of the City Code relative to the Uniform Fire Prevention and Building Code as to requirements for issuance of Permits, Certificates and Approvals by the City of Rensselaer Code Enforcement Office; and

WHEREAS, the Common Council has reviewed proposed Local Law No. 11 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. 11 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 October 20, 2021, 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. 11 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 ____ day of October, 2021

Corporation Counsel

So Approved:

Mayor

CITY OF RENSSELAER

LOCAL LAW NO. 11 OF THE YEAR 2021.

**A Local Law to Further Amend Chapter 101 of
the Rensselaer City Code - Fire Prevention and
Building Code, Uniform**

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

SECTION 1. PURPOSE AND INTENT

This local law provides for the further amendment of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) previously incorporated into the City Code of the *City of Rensselaer*. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law and amends Section 3 (a)(1) of Local Law Number 4 of 2021 to explicitly set forth that no Certificates, Permits or Plans will be issued or approved by the Code Enforcement Office unless the Applicant is current on all financial obligations to the City of Rensselaer, including, but not limited to, City taxes, charges, fees, penalties and fines. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law. The provisions of this Local Law supersede all previously adopted City of Rensselaer City Code provisions contrary to the provisions contained in this Local Law.

SECTION 2. DEFINITIONS

In this local law:

"Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Certificate of Occupancy"/"Certificate of Compliance" shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

"City" shall mean the City of Rensselaer.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Energy Code" shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

"Order to Remedy" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 16 of this local law.

"Permit Holder" shall mean the Person to whom a Building Permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications, however, no Certificates, Permits or Plans will be issued or approved by the Code Enforcement Office unless the Applicant is current on all financial obligations to the City of Rensselaer, including, but not limited to, City taxes, charges, fees, penalties and fines;

(2) upon approval of such applications, to issue Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, and to include in Building Permits, *Certificates of Occupancy/ Certificates of Compliance*. Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

- (6) to issue orders pursuant to subdivision (a) of section 16 (Violations) of this local law;
 - (7) to maintain records;
 - (8) to collect fees as set by the Common Council of the *City of Rensselaer*,
 - (9) to pursue administrative enforcement actions and proceedings;
 - (10) in consultation with this *City's* attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and
 - (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.
- (b) The Code Enforcement Officer shall be appointed by the Mayor of the City of Rensselaer. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- (c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Mayor of the City of Rensselaer to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.
- (d) One or more Inspectors may be appointed by the Mayor of the City of Rensselaer to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- (e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Common Council of the *City of Rensselaer*.

SECTION 4. BUILDING PERMITS.

- (a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit, paving of driveway, installation of a fence. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.
- (b) Exemptions. No Building Permit shall be required for work in any of the following categories:

- (1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);
 - (2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
 - (4) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;
 - (5) construction of temporary motion picture, television and theater stage sets and scenery;
 - (7) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (8) installation of partitions or movable cases less than 5'-9" in height;
 - (9) painting, wallpapering, tiling, carpeting, or other similar finish work;
 - (10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
 - (11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
 - (12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.
- (c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.
- (d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:
- (1) a description of the proposed work;
 - (2) the tax map number and the street address of the premises where the work is to be performed;
 - (3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within [6] months following the date of issuance. Building Permits shall expire [12] months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and
- (10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

- (1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by *registered mail/ certified mail*. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by *registered mail/ certified mail*, provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 16 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. [CERTIFICATES OF OCCUPANCY/ CERTIFICATES OF COMPLIANCE]

(a) *Certificates of Occupancy/ Certificates of Compliance* required. A *Certificate of Occupancy/ Certificate of Compliance* shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a *Certificate of Occupancy/ Certificate of Compliance*.

(b) Issuance of *Certificates of Occupancy/ Certificates of Compliance*. The Code Enforcement Officer shall issue a *Certificate of Occupancy/ Certificate of Compliance* if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a *Certificate of Occupancy/ Certificate of Compliance*. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the *Certificate of Occupancy/ Certificate of Compliance*, shall be provided to the Code Enforcement Officer prior to the issuance of the *Certificate of Occupancy/ Certificate of Compliance*:

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of *Certificates of Occupancy/ Certificates of Compliance*. A *Certificate of Occupancy/ Certificate of Compliance* shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the *Certificate of Occupancy/ Certificate of Compliance* is not applicable to an entire structure, a description of that portion of the structure for which the *Certificate of Occupancy/ Certificate of Compliance* is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the *Certificate of Occupancy/ Certificate of Compliance* and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed [6] months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a *Certificate of Occupancy/ Certificate of Compliance* or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a *Certificate of Occupancy/ Certificate of Compliance* or for Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within the *City of Rensselaer* shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in the *City of Rensselaer* shall be identified and addressed in accordance with the procedures established by Local Law Number 3 of 1991, as now in effect or as amended from time to time.

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any activity listed in paragraphs (1), (2), or (3) below or operating any type of building or structure listed in paragraphs (4), (5), or (6) below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3), 5003.1.1(4) of the 2015 edition of the International Fire Code (a publication currently incorporated by reference in 19 NYCRR Part 1225 or its' successors thereto);

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more;

(5) parking garages as defined in subdivision (a) of section 13 of this local law; and

(6) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Common Council of the *City of Rensselaer*.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or

renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every twelve (12) months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

Notwithstanding any other provision of this section to the contrary:

(1) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(2) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(3) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section; and

(4) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a non-residential building, structure, use or occupancy not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such non-residential building, structure, use or occupancy at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section.]

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, *ordinance* or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 16 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

(a) Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

- (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
- (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
- (iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the 2015 edition of the International Property Maintenance Code (a publication currently incorporated by reference in 19 NYCRR Part 1226); and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments - general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the [City / Town / Village], in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(c) Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) New parking garages shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure,

(2) Existing parking garages shall undergo an initial condition assessment as follows:

- (i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
- (ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
- (iii) if originally constructed between January 1, 2003 and the effective date of the rule adding this subdivision to 19 NYCRR section 1203.3, then prior to October 1, 2021.

(d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed twelve (12) months.

(e) Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the *City of Rensselaer* shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the *City of Rensselaer* becomes aware of any new or increased deterioration which, in the judgment of the *City of Rensselaer*, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the *City of Rensselaer* shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the *City of Rensselaer* to be appropriate.

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the *City of Rensselaer* within such time as fixed by the *City of Rensselaer* or thirty (30) days/ whichever if shorter. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(3) an evaluation and description of the unsafe conditions;

(4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

(5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed,

the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in his or her professional judgment.

(g) Review Condition Assessment Reports. The *City of Rensselaer* shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the *City of Rensselaer* shall, by Order to Remedy or such other means of enforcement as the *City of Rensselaer* may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the *City of Rensselaer* to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(h) The *City of Rensselaer* shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the *City of Rensselaer* with a written statement attesting to the fact that he or she has been so engaged, the *City of Rensselaer* shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The *City of Rensselaer* shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(i) This section shall not limit or impair the right or the obligation of the *City of Rensselaer*.

(1) to perform such construction inspections as are required by section 5 of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the *City of Rensselaer* by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 14. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, *Certificates of Occupancy/ Certificates of Compliance*, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

(8) all condition assessment reports received;

(9) all other features and activities specified in or contemplated by sections 4 through 13, inclusive, of this local law, including; and

(10) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 15. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Common Council of the City of Rensselaer a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this City on a form prescribed by the Secretary of State, a report of the activities of this City relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this City is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this City in connection with administration and enforcement of the Uniform Code.

SECTION 16: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by_ *[specify date]*, which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect,

tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil Penalties. In addition to those penalties prescribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, *Certificate of Occupancy/Certificate of Compliance*, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the *City of Rensselaer*.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of the *City of Rensselaer*, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, *Certificate of Occupancy/Certificate of Compliance*, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of the *City of Rensselaer*, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Corporation Counsel of the *City of Rensselaer*.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 17: FEES

A fee schedule shall be established by resolution of the Common Council of the *City of Rensselaer*. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, *Certificates of occupancy/*

Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 18. INTERMUNICIPAL AGREEMENTS

The Common Council of the *City of Rensselaer* may, by resolution, authorize the Mayor of the *City of Rensselaer* to enter into an agreement, in the name of the *City of Rensselaer*, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 19. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 20. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

1. Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 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. _1_1_ of 2021 of the City of Rensselaer was duly passed by the Common Council on _____, 2021, and was (approved)(not approved) (repassed after disapproval) by the Elective Chief Executive Officer*, Mayor Michael Stammel, and was deemed duly adopted on _____, 2021.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 2020_ of the City of Rensselaer 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. 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 Officer*, Mayor Michael Stammel, on _____, 2020. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 2020, 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 _____ alified electors of the cities of said county as a unit and a majority of the qualified electors of the to _____ 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 B _____, City, Town or Village
Clerk or officer designated by lo _____ 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.

Cor oration Counsel
Title

CITY OF: RENSSELAER

Date: _____

#9

By Alderperson

COUNCIL AS A WHOLE

Seconded by Alderperson

**A RESOLUTION TO APPROVE PURCHASE OF A VEHICLE FOR THE BUILDING
DEPARTMENT- RENSSELAER BUILDING DEPARTMENT**

WHEREAS, The City of Rensselaer is in need of a vehicles for the Building Department so as to assist the Building Department in performing its duties, and

WHEREAS, the Common Council has been advised that the City of Rensselaer Building Department has obtained the attached proposed contract for the purchase of a vehicle pursuant to the City of Rensselaer Procurement Policy, in the total amount of \$16,021.00, with such amount to be paid out of available funds of the Building Department, and good cause appearing therefore,

NOW, THEREFORE BE IT RESOLVED, that the City of Rensselaer hereby approves the purchase, on behalf of the Building Department, of a vehicle as listed on the attached contract, for the total amount of \$16,021.00, with such amount to be paid out of available funds of the Building Department.

Approved as to form and sufficiency
this____ day of _____, 2021

Corporation Counsel

Approved:

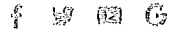
Mayor

011 --Nicky V's--

Auto Salas
11nd cons //Ing SeNf

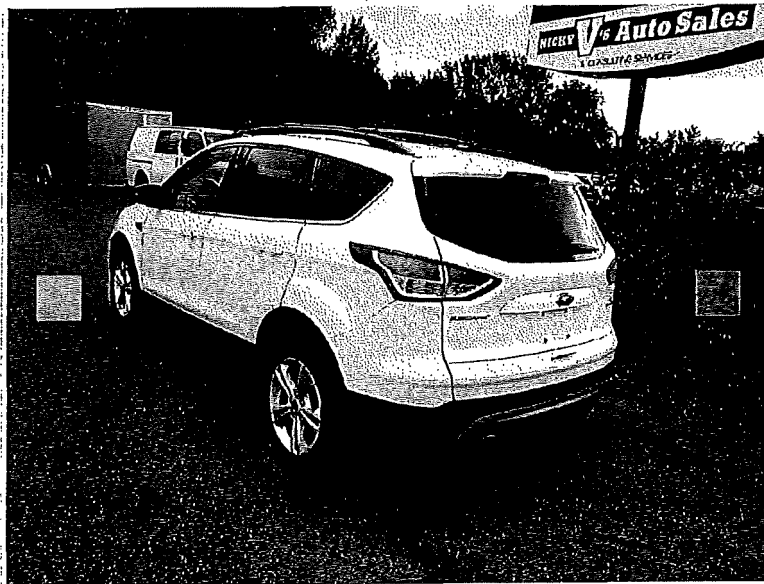
91637 Rt 9 Clifton Park, NY 12065

.J 518-371-1100



f- Return to Inventory, List

2016 Ford Escape 4WD 4dr SE



R lall i'17,999

Internet \$17,750

Savings \$249

Color: White
Interior: Leather
Interior Color: Black
Drive Train: AWD
Transmission: Automatic
Cylinders: 4
Vin: 1 FMCU9GX1GUB50299
Engine: 1.6L EcoBoost-Inc: activa grille shutters
Mileage: 82,214
Stock#: Nv16es
Fuel Economy: City 22/Hwy 29
Estimated By E.P.A. • Actual Mileage May Vary

£.b.g!fil.(4Q).

Inquiry

Mnlr0OH<n

Start My Daill

11 Tm<t Us Now

Dealership Information

Share to Social Media

Vehicle History Report

Nickey V's Auto Sales

Sales
1637 Rt 9
Clifton Park, NY 12065
518-371-1100

SOW E,
OETAOAAFA
RECORD CHECK

Vehicle Details

V

Vehicle Options

A

[Fliter Options

- Deep Tinted Glass
 - 15.1 Gal. Fuel Tank
 - 4 12V DC Power Outlets
 - 1 LCD Monitor In The Front
 - 3.51 Axle Ratio
 - 4-Way Passenger Seat-Inc: Manual Recline and Fore/Aft Movement
 - 4-Wheel Disc Brakes w/4-Wheel ABS, Front Vented Discs,
 - Air Filtration
- A

- Brake Assist and Hili Hold Control
- Airbag Occupancy Sensor
- Auto On/Off Aero-Composite Halogen Headlamps w/Delay.. *Off*
- Back-Up Camera
- Body-Colored Door Handles
- Body-Colored Power Side Mirrors w/*Convex* Spotter and Manual Folding
- Brake Actuated Limited Slip Differential
- Cargo Space Lights
- Chrome Side Windows Trim
- Cloth Door Trim Insert
- Cruise Control w/Steering Wheel Controls
- Delayed Accessory Power
- Driver Foot Rest
- Driver Seat
- Dual Stage Driver And Passenger Seat-Mounted Side Airbags
- Engine: 1.6L EcoBoost -inc: active grille shutters
- Fixed Rear Window w/Fixed Interval Wiper, Heated Wiper Park and Defroster
- Front And Rear Anti-Roll Bars
- Front Cupholder
- Front Fog Lamps
- Full Cloth Headliner
- Fully Galvanized Steel Panels
- Gray Bodyside Cladding and Gray Wheel Well Trim
- GVWR: 4,760 lbs
- Illuminated Glove Box
- Interior Concealed Storage, Driver / Passenger And Rear Door Bins, 2nd Row Underseat Storage and Audio Media Storage
- Keypad
- Liftgate Rear Cargo Access
- Manual Tilt/Telescoping Steering Column
- Metal-Look Gear Shifter Material
- Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point, Height Adjusters and Pretensioners
- Permanent Locking Hubs
- Rear Child Safety Locks
- Safety Canopy System Curtain 1st And 2nd Row Airbags
- Securilock Anti-Theft Ignition (pats) Engine Immobilizer
- Side Impact Beams
- Strut Front Suspension w/Coil Springs
- Variable Intermittent Wipers
- Analog Appearance
- Automatic Full-Time Four-Wheel Drive
- Battery w/Run Down Protection
- Body-Colored Front Bumper w/Metal-Look Rub Strip/Fascia Accent
- Body-Colored Rear Bumper w/Gray Rub Strip/Fascia Accent and Metal-Look Bumper Insert
- Cargo Area Concealed Storage
- Carpet Floor Trim
- Clearcoat Paint
- Compact Spare Tire Mounted Inside Under Cargo
- Day-Night Rearview Mirror
- Driver And Passenger Visor Vanity Mirrors w/Driver And Passenger Illumination
- *Driver* Knee Airbag
- Dual Stage Driver And Passenger Front Airbags
- Electric Power-Assist Speed-Sensing Steering
- Fade-To-Off Interior Lighting
- FOB Controls -inc: Cargo Access
- Front Center Armrest and Rear Center Armrest
- Front Facing Manual Reclining Fold Forward Seatback Rear Seat
- Front Map Lights
- Full Floor Console w/*Covered* Storage, Mini Overhead Console w/Storage and 4 12V DC Power Outlets
- Gas-Pressurized Shock Absorbers
- Grille w/Chrome Bar
- HVAC -inc: Underseat Ducts and Console Ducts
- Integrated Roof Antenna
- Interior Trim -inc: Metal-Look Instrument Panel Insert, Metal-Look Door Panel Insert, Metal-Look Console Insert and Chrome/Metal-Look Interior Accents
- Laminated Glass
- Low Tire Pressure Warning
- Manual W/Tilt Front Head Restraints and Manual Adjustable Rear Head Restraints
- Mykey System -Inc: Top Speed Limiter, Audio Volume Limiter, Early Low Fuel Warning, Programmable Sound Chimes and Beltminder w/Audio Mute
- Outside Temp Gauge
- Quasi-Dual Stainless Steel Exhaust w/Chrome Tailpipe Finisher
- Rear Cupholder
- Seats w/Cloth Back Material
- Short And Long Arm Rear Suspension w/Coil Springs
- Steel Spare Wheel
- Systems Monitor

Make Offer v

Photos v

CarStory•ID vA

Vehicle Disclaimer

Agreement and Bill of Sale

BY, <NO BETWEEN

Nicky V. Auto Sales
1637 Route 9
Clifton Park NY 12065

Facility # 7117124
(518) 371-1100

AND C. J. V. Q. J. R. S. S. E. Jof. hereinafter designated "Purchaser" of
G. J. J. B. 1. Q. 9. f. f. f. S. f. boo. S. S. E. fa-er J. R. 1. 2. 1. 1. J.

"The above named seller agrees to sell the hereinafter mentioned and described automobile and the above named purchaser agrees to purchase said automobile upon the following conditions, it being agreed by both parties hereto that this contract embodies all terms and conditions of sale."

STOCK NO.		AND TYPE OF CAR		MODEL	YEAR	VEHICLE IDENT. NO.	SALE MAN
J.		foi; d. Jir: «Je		St	Jo/ft	JFMCu Jr: f J6'ij85" < J19'1	*****
sh Price of car		\$ 4, (X) 0		Cash on Delivery of CQR			
Less Trade In Allowance		\$		Cash on Account Withheld		\$ 1	
Optional Warranty				Balance		\$	
Term: 1				Dealer's optional fee for processing application for registration and/or certificate of title. Mel lot \$ 111.00, special or delinquent platoll (II appllo 111.111; 1). THIS IS NOT A DMV FEE.		< 1	
Total		\$ //d()()					
In addition		\$ ill					
Registration		t		To 1111 Balance		\$ 16021	
Sales Tax	]A)(E < c: w. t. + \$ Nie		Payable at rate of \$		per month for months	
Total Cash to be paid		\$		to			

The principal prior use of this vehicle was as: Oriental Police vehicle, Lease Do, taxicab Do, a driver education vehicle. THE AMOUNT INDICATED ON THIS SALES CONTRACT OR LEASE AGREEMENT FOR REGISTRATION AND TITLE IS AN ESTIMATE. IN SOME INSTANCES, IT MAY EXCEED THE ACTUAL TITLE FEES DUE TO THE COMMISSIONER OF MOTOR VEHICLES. THE DEALER WILL AUTOMATICALLY ALLOW WITHIN SIXTY DAYS OF RECEIVING SUCH REGISTRATION AND TITLE, REFUND AMOUNT OVERPAID FOR SUCH FEES.

"The option of dealer registration, title, application processing fee (\$75.00 maximum) and special plate processing fee (\$100 maximum) are not New York State or Department of Motor Vehicle fees. Unless a lien is being transferred or the dealer issued number plate, you may submit your own application for registration and/or certificate of title or for a special or distinctive plate, to any motor vehicle registration office."

Remarks: Vehicle is, with m. l. e. t.

"The purchaser agrees to pay the seller within 10 days of \$ on delivery of this agreement, and of which he hereby acknowledges. And to pay the seller the balance due on or before 20 or purchaser hereby agrees to pay the seller the amount of the dealer's and for liquidated damages for his breach. Title will not pass to purchaser until payment in full has been made. If final payment is made by check, title will not pass until check is paid. The purchaser certifies that he is eighteen years of age, and has full legal capacity to enter into this agreement, and that the car is free and clear of all encumbrances whatsoever."

"If this MOTOR VEHICLE IS CLASSIFIED AS A USED MOTOR VEHICLE, the dealer CERTIFIES THAT THE VEHICLE IS IN CONDITION AND REPAIR TO AFAIRLY, UNDER NORMAL USE, SATISFACTORY AND ADEQUATE SERVICE UPON THE PUBLIC HIGHWAY AT THE TIME OF DELIVERY."

"THE INFORMATION YOU SEE ON THE WINDOW FOR THIS VEHICLE IS PART OF HIS CONTRACT. INFORMATION ON THE WINDOW OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE."

Daron 1. 3. 0. 20. f. p. Accepted.
By 27

Sold subject to approval of an Equal Housing Opportunity

By Alderperson

COUNCIL AS A WHOLE

Seconded by Alderperson

**A RESOLUTION TO OVERRIDE VETO OF MAYOR OF PRIOR RESOLUTION NUMBER 3 ADOPTED
BY COMMON COUNCIL ON SEPTEMBER 15, 2021 WHICH WAS A RESOLUTION DIRECTING THE
CITY ENGINEER TO OVERSEE THE UPDATING OF STREET PAVEMENT MARKINGS AND
PLACEMENT OF NON-PARKING TRAFFIC CONTROL DEVICES - COMMON COUNCIL**

WHEREAS, The Common Council of the City of Rensselaer adopted Resolution Number 3 on September 15, 2021, a Resolution directing the City Engineer to oversee the updating of street pavement markings and the placement of non-parking traffic control devices, and

WHEREAS, the City Common Council having been advised that the Mayor returned a veto message to the City Clerk concerning the aforementioned Resolution, and the City Common Council having now carefully reconsidered such Resolution Number 3, a copy of which is attached hereto and made apart hereof, pursuant to Section 67 of the Rensselaer City Charter, and

WHEREAS, the City Common Council being advised that any veto override requires a 2/3 vote of the Common Council, and

WHEREAS, pursuant to Section 107 of the City Charter the Common Council sits as Highway Commissioners with authority to designate the City Engineer to oversee the updating of street pavement markings and the placement of non-parking traffic control devices on City Streets, and

WHEREAS, the City Common Council believes Resolution Number 3 adopted on September 15, 2021 is appropriate as to form and substance, and that passage of such Resolution over the veto of the Mayor is in the best interests of the City of Rensselaer, and good cause existing therefor,

NOW, THEREFORE BE IT RESOLVED, that the attached Resolution Number 3 previously adopted by the Common Council on September 15, 2021, is hereby readopted over the veto of the Mayor, pursuant to Section 67 of the City Charter.

Approved as to form and sufficiency
this ____ day of _____, 2021

Corporation Counsel

By Alderperson:

CASEY

/

Seconded by Alderperson:

COUNCIL AS A WHOLE

**RESOLUTION DIRECTING THE CITY ENGINEER TO OVERSEE THE
UPDATING OF STREET PAVEMENT MARKINGS AND PLACEMENT
OF NON-PARKING TRAFFIC CONTROL DEVICES - CITY ENGINEER**

WHEREAS, the City of Rensselaer is mandated to follow the requirements of the National Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and 17 NYCRR Chapter V for street pavement markings and the placement of all non-parking traffic control devices on City Streets in the City of Rensselaer, and

WHEREAS, pursuant to Section 107 of the City Charter the Common Council sits as Highway Commissioners with authority to designate the City Engineer to oversee the updating of street pavement markings and the placement of non-parking traffic control devices on City Streets, and

WHEREAS, the City Engineer is the City Official trained for such duties and is fully familiar with MUTCD and 17 NYCRR Chapter V relative to required street pavement markings and the placement of non-parking traffic control devices, and has been designated by the City Council by prior Resolution to oversee such duties, and

WHEREAS, the Common Council has noted concerns relative to the fading of school crosswalk pavement markings, lack of "Slow Down" markings on streets near school crossings, the lack of "Stop for Pedestrians" signs at many crosswalks, and the lack of school crossing signage at many applicable intersections, and

WHEREAS, good cause appearing for directing the City Engineer to oversee the correction of the aforementioned issues,

NOW, THEREFORE BE IT RESOLVED, that it is hereby directed that the City Engineer oversee the updating of street pavement markings and placement of non-parking traffic control devices as noted above.

James Van Vorst	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent
Dave Gardner	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Bryan Leahy	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
James Casey	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Eric Endres	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Margaret Van Dyke	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
John DeFrancesco	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	6 Aye	0 No	Abstain	1 Absent
Result	PASSED			

Approved as to form and sufficiency
this day of September, 2021

Corporation Counsel

Approved by:

Mayor



CITY OF RENSSELAER

OFFICE OF THE MAYOR

CITY HALL
62 WASHINGTON STREET
RENSSELAER, NEW YORK 12144



(518) 462-9511
Fax: (518) 462-9895

September 24, 2021

City Clerk
City Hall
62 Washington Street
Rensselaer, New York 12144

RE: Veto Message

Dear Clerk,

Pursuant to the Rensselaer City Charter, Section 67, I hereby veto Resolution No. 3, a **"RESOLUTION DIRECTING THE CITY ENGINEER TO OVERSEE THE UPDATING OF STREET PAVEMENT MARKINGS AND PLACEMENT OF NON-PARKING TRAFFIC CONTROL DEVICES"**, passed by the Common Council at the September 15, 2021 Meeting.

I object to such Resolution in that I believe such Resolution is beyond the power of the Common Council. The City Engineer is directed in his duties by the Office of the Mayor. I stand ready to work with the Common Council on addressing the needs of the residents of the City of Rensselaer as they relate to the subject matter of the vetoed Resolution.

Thank you for your kind attention and assistance.

Respectfully,

Michael Stammel
Mayor

#11

By Alderperson:

COUNCIL AS A WHOLE

Seconded by Alderperson:

RESOLUTION AUTHORIZING REFUND

WHEREAS, in September of 2020 the Dental Insurance Carrier for the City of Rensselaer, due to the COVID-19 situation, waived all Dental insurance premiums due and owing from the City of Rensselaer and its Employees for the month of September, 2020, and

WHEREAS, such “Delta Dental One-Month Premium Holiday was clearly communicated by email (attached) to the HR director on Monday, August 17, 2020 after she questioned a discrepancy of the billing for the dental portion of the CDPHP billing; and

WHEREAS, the above mentioned communication clearly indicated that the City’s legal counsel was to be consulted on how to handle the premium holiday from a payroll perspective; and

WHEREAS, it appears that the above mentioned consultation never took place; and

WHEREAS, on September 21, 2020 the former Comptroller of the City of Rensselaer addressed the situation described above and advised the Mayor and the HR director to rectify the situation by refunding the employees who were charged a premium for that month, email attached; and

WHEREAS, it appears that the aforementioned email from the former Comptroller to Mayor Stammel and Irene Sorriento was ignored; and

WHEREAS, the Common Council of the City of Rensselaer was recently advised of this situation; and

WHEREAS; on August 20, 2021 Council President DeFrancesco submitted a Freedom of Information Request to obtain all documents pertaining to the aforementioned situation, attached; and

WHEREAS on Friday, September 24, 2021 the Human Recourses Director answered the Freedom of Information request, and Carbon Copied the City of Rensselaer’s Corporation Counsel, attached; and

WHEREAS, the City of Rensselaer deducted the amount of \$2,077.52 as an Employee Co-Pay on the Dental Insurance premium for September of 2020 from the pay of Employees participating in the Dental Insurance Plan, and that such funds continue to be held by the City in its bank account, and that such funds should rightly be refunded to the affected Employees, and it is

NOW THEREFORE RESOLVED, the Common Council of the City of Rensselaer requests the amount of \$2,077.52 be refunded to the applicable Employees referenced above for the above stated reasons.

Approved as to form and sufficiency
this _____ day of _____, 2021

Corporation Counsel

Approved by:

Mayor

James Van Vorst	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Dave Gardner	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Bryan Leahey	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
James Casey	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Eric Endres	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Margaret Van Dyke	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
John DeFrancesco	<input type="checkbox"/> Aye	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Vote Totals	Aye	No	Abstain	Absent
Result				

nancy.hardt

From: nancy.hardt
Sent: Friday, August 20, 2021 2:39 PM
To: mike.stammel; irene.sorriento; kristin.daly
Subject: Freedom of Information Request
Attachments: DeFrancescoFoil8-20-21.pdf

Categories: Red Category

Good afternoon.

Please see the attached Freedom of Information request and respond within five business days as required by law.

Sincerely,

Nancy E. Hardt

City Clerk

City Of Rensselaer

62 Washington St.

Rensselaer, NY 12144

Phone 518-462-4266

Fax 518-462-0890

Nancy.hardt@rensselaerny.gov



FREEDOM OF INFORMATION REQUEST

- 1) TYPE OF RECORD REQUESTED: All emails, notes, memos and correspondence regarding the Waiving of Premiums for Delta Dental for all enrolled members of the plan for the month of September, 2020 between Mayor Stammel (Mike); Irene Sorriento; Bob Dignum; Kris Daly; Steve Terry and Christopher Goodness (Cgoodness@wyndhambenefitsllc.com) All bills, statements, invoices, vouchers and correspondence from Delta Dental or CDPHP regarding Dental Insurance Premiums. All Correspondence between all or some of the above mentioned parties and the enrolled employees of the City of Rensselaer advising them that the premiums were waived. All records showing that the savings were passed on the employees.
- 2) DATE OF RECORDS REQUESTED: May 2020 to present
- 3) DEPARTMENT RECORD REQUESTED FROM: Mayor, HR, Comptroller
- 4) REASON FOR THE REQUEST: _____
- 5) NAME OF REQUESTOR (PLEASE PRINT NAME): John DeFrancesco
- 6) ADDRESS OF REQUESTOR: 1453 Third Street, Rensselaer
- 7) TELEPHONE NUMBER OF REQUESTOR: 518-449-7415
- 8) DATE OF REQUEST: August 18, 2021

***NANCY E. HARDT, FREEDOM OF INFORMATION OFFICER,
HAS FIVE (5) WORKING DAYS TO COMPLY WITH YOUR
REQUEST.**

RECEIVED

AUG 20 2021

RENSSELAER CITY CLERK

nancy.hardt

From: nancy.hardt
Sent: Friday, September 24, 2021 11:40 AM
To: mike.stammel; irene.sorriento
Cc: Philip J. Danaher <danaheratty@nycap.rr.com> (danaheratty@nycap.rr.com);
jaspath@hotmail.com
Subject: FW: Freedom of Information Request
Attachments: DeFrancescoFoil8-20-21.pdf
Importance: High

Good morning.

Please respond to this Freedom of Information request which was originally submitted and sent to Mike Stammel and Irene Sorriento on August 20, 2021.

I have not received a response from the Mayor or Irene.

Kristin Daly responded that she did not have any information as she was not employed here during the time frame indicated on the FOIL.

Sincerely,

Nancy E. Hardt

City Clerk

City Of Rensselaer

62 Washington St.

Rensselaer, NY 12144

Phone 518-462-4266

Fax 518-462-0890

Nancy.hardt@rensselaerny.gov



From: nancy.hardt
Sent: Friday, August 20, 2021 2:39 PM
To: mike.stammel; irene.sorriento; kristin.daly
Subject: Freedom of Information Request

Good afternoon.

Please see the attached Freedom of Information request and respond within five business days as required by law.

Sincerely,

nancy.hardt

From: irene.sorriento
Sent: Friday, September 24, 2021 1:31 PM
To: nancy.hardt; mike.stammel
Cc: danaheratty@nycap.rr.com; jaspath@hotmail.com
Subject: RE: FW: Freedom of Information Request
Attachments: 8.20.21 FOIL Response Letter.pdf; 8.20.21 FOIL Documents.pdf

Categories: Red Category

Good afternoon Nancy,
Attached please find my response letter to Mr. DeFrancesco's F.O.I.L. request, along with the requested documents.
Thank you.

Irene Sorriento
Human Resources Manager
City of Rensselaer
Office – (518) 462-0419
Fax – (518) 462-9718

From: nancy.hardt
Sent: Friday, September 24, 2021 1:27 PM
To: mike.stammel <mike.stammel@rensselaerny.gov>
Cc: irene.sorriento <irene.sorriento@rensselaerny.gov>; danaheratty@nycap.rr.com; jaspath@hotmail.com
Subject: RE: FW: Freedom of Information Request

Mayor,

Thank you for the explanation.

Nancy E. Hardt
City Clerk
City Of Rensselaer
62 Washington St.
Rensselaer, NY 12144
Phone 518-462-4266
Fax 518-462-0890
Nancy.hardt@rensselaerny.gov



From: mike.stammel
Sent: Friday, September 24, 2021 1:14 PM



CITY OF RENSSELAER

MAYOR MICHAEL E. STAMMEL

ADMINISTRATIVE SERVICES DEPARTMENT

JODI D. MAYFORTH

Human Resources Specialist

518-694-7935

CITY HALL

62 WASHINGTON STREET

RENSSELAER, NEW YORK 12144

IRENE D. SORRIENTO

Human Resources Manager

518-462-0419

September 24, 2021

Subject: FOIL Request – John DeFrancesco

Dear Ms. Hardt,

Please accept this letter as a formal response to the recent FOIL request submitted by John DeFrancesco on August 20, 2021.

On behalf of the Human Resources Office, I hereby provide you the following information to the request:

- All emails, notes, memos, invoices and correspondence regarding the Waiving of premiums for Delta Dental for all enrolled members of the plan for the month of September, 2020.
Please see attachment.

Should you have any questions, please contact my office at (518) 462-0419.

Respectfully,

A handwritten signature in black ink, appearing to read "Irene Sorriento", is written over a horizontal line.

Irene Sorriento

Human Resources Manager

Phone 518-462-4266
Fax 518-462-0890
Nancy.hardt@rensselaerny.gov



CAPITAL DISTRICT PHYSICIANS'
HEALTH PLAN, INC.
500 Patroon Creek Blvd.
Albany, NY 12206

For Enrollment and Billing Questions call: 1-866-258-1785

City of Rensselaer
62 Washington Ave

Rensselaer, NY 12144
ATTN: City of Rensselaer

Group #: 10006868
Billing Period: 09/01/2020 - 09/30/2020
Payment due on or before: 09/01/2020
Invoice Date: 08/13/2020
Invoice #: 202260000081

Please review this invoice carefully. If you are an employer group/broker and notice any errors, need to submit an enrollment application, or would like to request a termination or change, please submit the appropriate information and documentation by fax or mail.

Fax: 518-641-4008

Mail: CDPHP
500 Patroon Creek Blvd
Albany, NY 12206-1057
ATTN: Membership & Billing Department

If you are a member paying directly (i.e., not through group enrollment) and have billing questions, please send us a secure email by logging into the secure member site at www.cdphp.com, or call us at the number on your ID card.

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed \$5,000 and the stated value of the claim for each violation.

Detach Here

Detach Here

City of Rensselaer
62 Washington Ave

Rensselaer, NY 12144

CDPHP
PO Box 5525
Binghamton, NY 13902-5525

Group #: 10006868
Billing Period: 09/01/2020 - 09/30/2020
Payment due on or before: 09/01/2020
Invoice Date: 08/13/2020
Invoice #: 202260000081

Current Balance Due: \$159,413.52

Total Invoice adjustments: -----

Total payment to CDPHP:

[Contact Us](#)

Resize text A A A

Welcome Irene Sorriento

[Employers Secure Site](#) | [Log](#)[Home](#) > [Select Groups](#) > [Billing Home](#) >

Invoice ID: 202260000081

false dataSaveWin

You must use Sun Corporation's free Java Runtime Environment (JRE) version 5 or above to be able to download.

[View Printable Payment Voucher](#)[Download Subscriber List](#)

Group: 10006868 - City of Rensselaer

Subgroup:

Invoice Date: 08/13/2020

Due Date: 09/01/2020

For Period: 09/01/2020 - 09/30/2020

Mailing Address

City of Rensselaer
62 Washington Ave
Rensselaer, NY 12144

Subscribers on this Invoice

Viewing: 1-106 (of 106)

Subscriber ID	Subscriber Name	Dept ID	Class	Total
	Adams, Jeffrey M		0001	\$2,081.15
	Adams, Tracy L		0001	\$800.44
	Akin, Benjamin B		0001	\$2,081.15
	Angle, Jonathan D		0001	\$2,081.15
	Austin-Michaud, Dalton M		0001	\$800.44
	Bargy, Shaun P		0001	\$2,081.15
	Bednarczyk, Paul J		0001	\$2,081.15
	Bellefeuille, Jason		0001	\$800.44
	Billette, Kevin W		0001	\$2,081.15
	Billette Sr, Kevin		0001	\$1,600.88
	Bink, Julie A		0001	\$1,600.88

EMPLOYER
ACCOUNTENROLLMENT
CENTER

- > Add Subscriber
- > Update Depend
- > Enrollment Ch
- > Terminate Sub

MEMBER
MANAGEMENT

- > Member Search
- > View Benefits
- > Member ID Card
- > Change Primary
- > Change Address
- > Update Person



BILLING

- > Billing Home
- > View Current Invoice
- > Search Invoice
- > Make a Payment
- > Payment History
- > Prospective Statement
- > Refund Policy



PLAN TOOL

- > View Reports
- > View Contracts
- > Start Healthy Choice



PROVIDER

- > Find a Provider
- > Find a Facility

Subscriber ID	Subscriber Name	Dept ID	Class	Total
	Blowers, Gary S		0001	\$2,081.15
	Bohley, Leonard M		0001	\$1,600.88
	Butler, Bonnie		0001	\$800.44
	Butler, Sharon A		0001	\$1,600.88
	Butler, Steven		0001	\$2,081.15
	Cannon, Justin M		0001	\$800.44
	Capuano, Thomas M		0001	\$800.44
	Carroll, Jonathan L		0001	\$800.44
	Chirgwin, Jane L		0001	\$2,081.15
	Cole, Frances		0001	\$800.44
	Dambrose, Ernest K		0001	\$800.44
	Davenport, Joshua M		0001	\$2,081.15
	De Thomasls, Frank		0001	\$1,600.88
	Deso, Michael A		0001	\$1,600.88
	Earing, Scott P		0001	\$2,081.15
	Ferreira, Nathaniel A		0001	\$800.44
	Fink, Robert K		0001	\$800.44
	Foust, James P		0001	\$2,081.15
	Foust, Peter C		0001	\$2,081.15
	Foust, Philip		0001	\$800.44
	Foust, Timothy R		0001	\$1,600.88
	Frankoski, Jesse J		0001	\$1,600.88
	Gallagher, James J		0001	\$2,081.15
	Gales, Theresa R		0001	\$800.44
	Gibbins, Jason M		0001	\$800.44
	Goergen, Lee		0001	\$1,600.88
	Gorman, Peter		0001	\$2,081.15
	Hammond, Claudia		0001	\$800.44
	Hannigan, Ryan M		0001	\$2,081.15
	Hansen, Terri A		0001	\$2,081.15
	Hardt, Nancy E		0001	\$1,600.88
	Harwood, Steven		0001	\$1,600.88
	Hendricks, Mark		0001	\$800.44
	Hennessy, Mark J		0001	\$2,081.15
	Hilstro, Adrian E		0001	\$1,600.88
	Hopkins, Erik C		0001	\$0.00
	Jackson, Erlca		0001	\$800.44
	James, William M		0001	\$2,081.15
	Jiguere, Brenda V		0001	\$800.44
	Jordan, David M		0001	\$800.44
	Kannes, Raymond J		0001	\$2,081.15
	Knowles, Sean D		0001	\$2,081.15
	Lamarre, Donald J		0001	\$800.44
	Leahey, Jeffrey B		0001	\$2,081.15
	Leone, Gregory J		0001	\$2,081.15
	Lolik, Amy M		0001	\$1,600.88
	Lyon, Jennifer A		0001	\$1,600.88
	Mann, Daniel P		0001	\$2,081.15
	Marrero, Juan B		0001	\$2,081.15
	Mayforth, Jodi D		0001	\$1,600.88
	McNally, Bryan W		0001	\$2,081.15
	Micare II, Daniel D		0001	\$2,081.15

**CONTACT**

- > Send a Secure Message
- > Call to speak with a representative

Subscriber ID	Subscriber Name	Dept ID	Class	Total
	Mizener, Michael A		0001	\$800.44
	Mooney, David C		0001	\$2,081.15
	Mulbury, Curtis S		0001	\$800.44
	Muller, James R		0001	\$1,600.88
	Nagengast, Anthony A		0001	\$800.44
	Northrup, Charles		0001	\$800.44
	Nye, Joshua A		0001	\$0.00
	Ogren, Marianne E		0001	\$800.44
	Oliver, Tyler F		0001	\$800.44
	Olson, Peter C		0001	\$2,081.15
	Peplowski, Wayne R		0001	\$1,600.88
	Phillips, David M		0001	\$2,081.15
	Poole, Steve P		0001	\$1,600.88
	Prespare, Earl T		0001	\$2,081.15
	Qua, Kristin M		0001	\$2,081.15
	Quickenton, Alfred F		0001	\$766.06
	Robichaud-Meyer, Amy		0001	\$2,081.15
	Roehr, Clark L		0001	\$2,081.15
	Roullier, Paul G		0001	\$800.44
	Ryan, Cornelius A		0001	\$1,600.88
	Ryan, Joseph P		0001	\$1,600.88
	Sammon, Tyler		0001	\$800.44
	Schrimsher Jr, Richard E		0001	\$1,600.88
	Schroll, James T		0001	\$1,600.88
	Schumaker, John E		0001	\$2,081.15
	Sleasman, David		0001	\$2,081.15
	Slingerland, Christopher T		0001	\$2,081.15
	Sorriento, Irene D		0001	\$2,081.15
	Sousa, Andrea		0001	\$1,600.88
	Stager, Joseph		0001	\$2,081.15
	Stammel, Michael E		0001	\$2,081.15
	Terry, Steven P		0001	\$1,600.88
	Terry Jr, Joseph P		0001	\$800.44
	Thomas, James E		0001	\$800.44
	Thomas, John J		0001	\$1,600.88
	Tomlinson, Brent S		0001	\$2,081.15
	Torres, Alberto		0001	\$800.44
	Vadney, Stephen J		0001	\$2,081.15
	Van Dyke, Kevin A		0001	\$1,600.88
	Vics, Katura A		0001	\$800.44
	Welsh, Francine		0001	\$800.44
	Wheeler, Keith D		0001	\$1,600.88
	Williams, Michael		0001	\$1,600.88

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CDPHP COMMERCIAL HEALTH INSURANCE PLAN

Sep-20

General Fund (Health) - A =	\$140,717.58	General Fund-A Total	\$140,683.20
General Fund (Dental) - A =	-\$34.38		
Solid Waste Fund (Health) - G =	\$7,684.23	Solid Waste Fund-G	\$7,684.23
Solid Waste Fund (Dental) - G =	\$0.00	Total Solid Waste Fund-G	\$7,684.23
Sewer Fund (Health) - G =	\$2,881.59	Sewer Fund-G Total	\$2,881.59
Sewer Fund (Dental) - G =	\$0.00		
Water Fund (Health) - RX =	\$8,164.50	Water Fund-RX Total	\$8,164.50
Water Fund (Dental) - RX =	\$0.00		
TOTAL PAID FOR SEPTEMBER 2020			\$159,413.52

Department	Last Name	First Name	Status	Health Insurance Premium	Dental Premium	Health Insurance Monthly Employee Contributions	Dental Insurance Monthly Employee Contributions	Notes
A.9000.7804 - POLICE	Adams	Jeffrey M.	Active	\$2,081.15	\$0.00	\$342.25	\$0.00	
	Adams	Tracy L.	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Austin-Michaels	Dalton	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Deso	Michael A.	Active	\$1,600.88	\$0.00	\$246.20	\$0.00	
	Earing	Scott P.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Ferreira	Nathaniel A.	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Foust	Peter C.	Active	\$2,081.15	\$0.00	\$342.25	\$37.39	
	Frankowski	Jesse	Active	\$1,600.88	\$0.00	\$246.20	\$0.00	
	Gallagher	James J.	Active	\$2,081.15	\$0.00	\$342.25	\$0.00	
	Hansen	Terri A.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Knowles	Sean D.	Active	\$2,081.15	\$0.00	\$342.25	\$0.00	
	Leone	Gregory J.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Lyon	Jennifer A.	Active	\$1,600.88	\$0.00	\$246.20	\$0.00	
	Mann	Daniel P.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Marrero	Juan B.	Active	\$2,081.15	\$0.00	\$342.25	\$0.00	
	Milcare II	Daniel D.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Nagengast	Anthony A.	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Olsen	Peter C.	Active	\$2,081.15	\$0.00	\$342.25	\$81.93	
	Robr	Clark L.	Active	\$2,081.15	\$0.00	\$342.25	\$0.00	
	Sammon	Tyler	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Terry Jr.	Joseph P.	Active	\$800.44	\$0.00	\$86.11	\$0.00	
	Butler	Bonnie	(Retired)	\$800.44	\$0.00	\$0.00	\$0.00	
	De Thomais	Frank	Retired	\$1,600.88	\$0.00	\$0.00	\$0.00	
	Jordan	David M.	Retired	\$800.44	\$0.00	\$0.00	\$0.00	
	Leahy	Jeffrey B.	Retired	\$2,081.15	\$0.00	\$0.00	\$0.00	
	Muller	James R.	Retired	\$1,600.88	\$0.00	\$0.00	\$0.00	
	Poole	Steve P.	Retired	\$1,600.88	\$0.00	\$0.00	\$0.00	
Robichaud-Meyer		Spouse of Edward Meyer						
	Roullier	Amy	(Retired)	\$2,081.15	\$0.00	\$0.00	\$0.00	
	Schroll	Paul G.	Retired	\$800.44	\$0.00	\$0.00	\$0.00	
	Van Dyke	Kevin A.	Retired	\$1,600.88	\$0.00	\$0.00	\$0.00	
- FIRE	Angley	Jonathan D.	Active	\$2,081.15	\$0.00	\$376.25	\$81.93	
	Bednarczyk	Paul J.	Active	\$2,081.15	\$0.00	\$376.25	\$0.00	
	Butler	Steven	Active	\$2,081.15	\$0.00	\$376.25	\$37.39	
	Carroll	Jonathan L.	Active	\$800.44	\$0.00	\$120.10	\$0.00	
- FIRE	Davenport	Joshua M.	Active	\$2,081.15	\$0.00	\$376.25	\$0.00	
	Gibbins	Jason M.	Active	\$800.44	\$0.00	\$120.10	\$0.00	
	Hennigan	Ryan M.	Active	\$2,081.15	\$0.00	\$376.25	\$81.93	

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		A Total		CHECK #1	
		\$140,717.58	-\$34.38	\$11,225.10	\$1,879.01
GL90007804 - SOLID WASTE					
Fink	Robert K.	Active	\$800.44	\$0.00	\$800.05
Goergen	Lee	Active	\$1,600.88	\$0.00	\$0.00
Mulbury	Curtis	Active	\$800.44	\$0.00	\$0.00
Oliver	Tyler F.	Active	\$800.44	\$0.00	\$0.00
Prespere	Earl T.	Active	\$2,081.15	\$0.00	\$0.00
Williams	Michael	Active	\$1,600.88	\$0.00	\$81.93
G.Total			\$7,684.23	\$0.00	\$38.86
G90007804 - SEWER					
Stammell, Jr.	Michael E.	Active	\$2,081.15	\$0.00	\$104.07
Thomas	James E.	Retired	\$800.44	\$0.00	\$0.00
G.Total			\$2,881.59	\$0.00	\$38.86
F-90007804 - WATER					
Blowers	Gary S.	Active	\$2,081.15	\$0.00	\$38.86
Nye	Joshua A.	Active	\$0.00	\$0.00	\$0.00
Thomas	John J.	Active	\$1,600.88	\$0.00	\$0.00
Welsh	Francine	Active	\$800.44	\$0.00	\$0.00
James	William M.	Retired	\$2,081.15	\$0.00	\$0.00
Peplowski	Wayne R.	Retired	\$1,600.88	\$0.00	\$0.00
F.Total			\$8,164.50	\$0.00	\$38.86

irene.sorriento

From: irene.sorriento
Sent: Monday, August 17, 2020 9:54 AM
To: Christopher Goodness; Bob Dignum
Subject: CDPHP Commercial September Invoice
Attachments: CDPHP.Delta Dental Bill (September 2020).pdf

Good morning Chris and Bob,

I am going over the CDPHP Commercial Invoice for September and noticing the amount is way off that what I have on file.

I believe the dental portion of it was not added on the invoice. Attached is a copy of the invoice. Thank you.

Irene Sorriento
Human Resources Director
City of Rensselaer
62 Washington Street
Rensselaer, NY 12144
(518)462-0419 x1570

irene.sorriento

From: Christopher Goodness <cgoodness@wyndhambenefitsllc.com>
Sent: Monday, August 17, 2020 11:26 AM
To: irene.sorriento
Cc: Bob Dignum
Subject: Re: CDPHP Commercial September Invoice
Attachments: CDPHP.pdf; ATT00001.htm

Hi Irene

You should have received an email at the end of last week from CDPHP (Attached) letting you know that delta dental is waiving premiums for the month of September. Please let me know if you didn't receive it. I want to make sure you are receiving them.

Thanks,

Chris

Wyndham Benefits, LLC
Christopher Goodness
16 Wyndham Way
Ballston Spa, NY 12020
518-288-3800 Phone
518-288-1477 Fax
cgoodness@wyndhambenefitsllc.com

www.wyndhambenefitsllc.com

"Certified in both S.H.O.P. and Individual Health Care Market Place"



Delta Dental One-Month Premium Holiday

As you focus on the well-being of your employees during the COVID-19 pandemic, CDPHP® and Delta Dental want you to know that we're here to help.

In an effort to provide beneficial and meaningful financial support during this time, Delta Dental is waiving the premium for your group's dental coverage for September 2020.

Please consult your legal counsel for direction on how to handle the premium holiday from a payroll perspective.

From the beginning, Delta's priority has been to support its stakeholders — clients, enrollees, dentists, employees, and the communities they serve — by ensuring and expanding access to dental care.

If you have any questions, please call the CDPHP membership and billing department at (518) 641-3900 or toll-free at 1-866-258-1785.

This email was sent to: %%emailaddr%%

This email was sent by: %%Member_Busname%%
%%Member_Addr%% %%Member_City%%, %%Member_State%%, %%Member_PostalCode%%

We respect your right to privacy — view our policy
If you prefer not to receive emails from CDPHP®, unsubscribe here.

irene.sorriento

From: steven.terry
Sent: Monday, September 21, 2020 3:47 PM
To: mike.stammel; irene.sorriento
Cc: jodi.mayforth
Subject: Dental Insurance

Good afternoon Mayor and Irene,

I wanted to follow up with the dental premiums. Back in August or July I believe we received a letter stating that we did not need to pay our premiums for a month due to Covid -19 and no one being able to use their dental insurance. Since some of our employees pay for a portion of the dental insurance that we did not get charged for, I just want to make sure we have a plan in place to refund our employees/or not charge them for their dental insurance for a month. I appreciate you looking into this.

Thanks,

Steven Terry
Comptroller
City of Rensselaer
62 Washington Street
Rensselaer, New York 12144
(518) 694-7937