

RESOLUTION NO. 68 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Resolution:

A RESOLUTION DESIGNATING OCTOBER 2016 AS BULLYING AWARENESS MONTH.

WHEREAS, we must safeguard schools and communities for our children and, through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS, many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, each day an estimated 160,000, children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and

WHEREAS, it is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth, as well as the risks of teenage suicide; and

WHEREAS, providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, we envision empowering adults and students to realize the power they have as individuals to influence others to stop bullying and hope that all adults and students alike will take an active role in creating a positive environment in their school and their communities; and

WHEREAS, together we can spread the powerful message that sometimes "One Can Count!" to make a positive change in the world,

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby designates the month of October 2016 as Bullying Awareness Month in Cohoes, as a symbol of our commitment to the year-round struggle against bullying; and, be it further

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RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 25th day of October 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

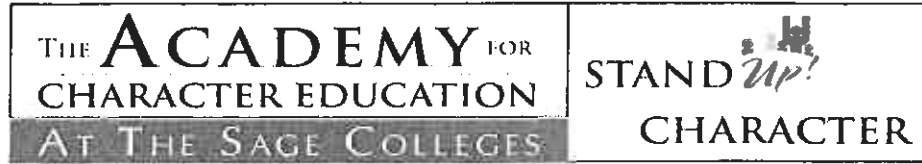
Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes, New York



September 2016

Dear Community Leader:

Schools and communities locally and nationwide will recognize October, 2016 as Bullying Awareness Month. School bullying is widespread across the United States. Each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying. Many more students attend school in a chronic state of anxiety.

At The Academy for Character Education at The Sage Colleges we see our mission as making schools and our community's places where every student feels included by their peers and accepted and valued for who they are. We invite our local schools, school districts and communities to address bullying during the month of October with special emphasis. Our goal is for all children to develop the social and emotional intelligence that will give them greater success in their peer relationships, their academic performance and in their adult lives.

To that end we are asking local leaders from throughout the New York State to focus on bullying awareness during the month of October. One way to do that is by adopting a resolution or proclamation in your municipality to that effect. A sample resolution is attached to this letter for your convenience. We would ask that you please share a copy of your adopted resolution or proclamation with The Academy so that we can publicize the local governments that are participating in this effort. In addition, we encourage you to contact your local school district to find out what events they are planning to raise awareness to this critical issue affecting all of our children and attend those events if you are able.

Please refer to The Academy for Character Education at The Sage Colleges web site at www.sage.edu/centers/charactered for additional resources to assist you in your awareness efforts.

It is time to Stand UP for Character – DOWN to Bullying! By working together, we can make this happen.

Kathleen M. Jimino

Rensselaer County Executive

John T. McDonald, III

Assembly Member
108th Assembly District

RESOLUTION NO. 69 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Resolution:

A RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, a Project Delaware Avenue and Ontario Street Intersection Traffic Signal Installation, City of Cohoes, Albany County, PIN 1759.75 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds for permanent repair work and 100% Federal funds for Design & Construction/Construction Inspection; and

WHEREAS, the City of Cohoes desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design & Construction/Construction Inspection.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Cohoes Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City of Cohoes Common Council hereby authorizes the City to pay in the first instance 100% of the federal and non-federal share of the cost of Design & Construction/Construction Inspection work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$22,500.00 (Twenty-two thousand, five hundred dollars and no cents) has been appropriated from the capital fund and made available to cover the cost of participation in the above phase of the Project; and it further

RESOLVED, that the additional sum of \$425,915.00 (Four hundred twenty-five thousand, nine hundred fifteen dollars and no cents) hereby appropriated from the capital fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, City of Cohoes Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Cohoes be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Cohoes with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project cost and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOVLED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately

Approved as to form this 25th day of October 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes, New York

RESOLUTION NO. 70 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Resolution:

A RESOLUTION AUTHORIZING THE CITY TO ENTER
INTO AN AGREEMENT WITH NYSERDA TO UPGRADE
THE CITY COMPREHENSIVE PLAN, CGC42156/CONTRACT 57243.

WHEREAS, the City of Cohoes (the "City" or the "Contractor") last updated its Comprehensive Plan in 1992; and

WHEREAS, a comprehensive plan articulates a community's vision for the future and sets forth a blueprint for change, providing guidance on how the community can accommodate physical growth while enhancing quality of life.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Cohoes Common Council hereby approves the above-subject project; and be it further

RESOLVED, that the total NYSERDA award amount for all tasks shall not exceed \$51,500.00, the Contractor shall be required to provide a cost share of \$23,500.00, and the total project cost is \$75,000.00 and any modifications to this amount shall be by mutual agreement with all cost overruns being the sole responsibility of the City of Cohoes; and be it further

RESOLVED, that the Mayor of the City of Cohoes be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests on behalf of the City of Cohoes with the NYSERDA in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share; and be it further

RESOVLED, that a certified copy of this resolution be filed with the NYSERDA attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately

Approved as to form this 25th day of October 2016.

Brian S. Kremer
Corporation Counsel

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Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes, New York

RESOLUTION NO. 71 FOR THE YEAR 2016

Members of Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka ask for unanimous consent for the introduction and passage of the following Resolution:

A RESOLUTION APPROVING AN AGREEMENT BETWEEN
THE COHOES HOUSING AUTHORITY AND THE
CITY OF COHOES FOR CODE ENFORCEMENT SERVICES

WHEREAS, the City and the Cohoes Housing Authority have negotiated an agreement for the City to provide code enforcement services to the Cohoes Housing Authority in order to benefit the people of the City of Cohoes,

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Cohoes does hereby approve the agreement between the City of Cohoes and the Cohoes Housing Authority, attached hereto and made part hereof; and be it further

RESOLVED, that the Mayor is hereby authorized to execute an agreement in substantially the same form as the agreement attached hereto, which form shall be approved by the Corporation Counsel; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 25TH day of October 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes, New York

**AGREEMENT BETWEEN CITY OF COHOES AND COHOES HOUSING
AUTHORITY
FOR CODE ENFORCEMENT SERVICES FOR THE PUBLIC HOUSING PROGRAM**

THIS AGREEMENT made this 20th day of October, two thousand sixteen, by and between the CITY OF COHOES, an municipal corporation organized and existing under the laws of the State of New York, with a principal office at 97 Mohawk Street, Cohoes, New York 12047, hereinafter referred to as "City", and COHOES HOUSING AUTHORITY, a public housing authority organized and existing under the laws of the State of New York with a principal office at 100 Manor Sites, Cohoes, New York 12047, hereinafter referred to as "Authority".

WITNESSETH:

WHEREAS, the Authority is desirous of obtaining the services of a code enforcement officer to inspect properties enrolled in the Section 8 program (hereinafter "the program") for housing codes violations pursuant to the program; and

WHEREAS, the City, through it Department of Building and Planning, is desirous of providing inspections to the Authority; and

WHEREAS, the Authority and the City recognize the potential benefits of the Code Enforcement Office assisting with the Public Housing Program; and

WHEREAS, it is in the best interests of the Authority, the City, and the citizens of the City of Cohoes to continue this relationship and program; and

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, the Cohoes Housing Authority and the City hereby agree as follows:

1. **TERM.** The term of this contract shall be January 1, 2017 through December 31, 2017.
2. **DUTIES.** The Code Enforcement Officer's duties shall be those normally associated with the position of an inspector for the Public Housing Program.
3. **AMENDMENT OR TERMINATION.** This contract may be amended at any time during the term hereof by mutual written agreement of the parties. This contract may be terminated at any time by either party upon the giving of 30 days written notice to the other party. In the event this contract is terminated, payment will be made to the City for

all services performed to the date of termination. The Authority shall be entitled to a pro-rated refund for that period of time when Code Enforcement Officer's services are not provided because of such termination.

4. **PAYMENT.** The Authority shall pay to the City an annual fee of \$23,500.00 which shall be payable in monthly installments of \$1,958.34 on or before the 1st of each month of the contract.

5. **NOTICES.** Any and all notices or any other communication herein required or permitted shall be deemed to have been given when deposited in the United States Postal Service as regular mail, postage prepaid and addressed as follows:

Cohoes Housing Authority 100 Manor Sites Cohoes, New York 12047	Mayor's Office City of Cohoes 97 Mohawk Street Cohoes, New York 12047
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6. **GOOD FAITH.** The Authority, the City, their agents and employees, agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the Authority and City or their designees.

7. **MODIFICATION.** This document constitutes the full understanding of the parties and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter made in writing and signed by the party to be charged.

8. **NON-ASSIGNMENT.** The Authority shall no assign, transfer, sublet or otherwise dispose of this contract, or of its right, title or interest in this contract, or its power to execute the same, to any other person or corporation without the previous consent, in writing, of the City. An assignment of this contract shall not relieve the assignor of its obligations hereunder. In the event of assignment, all the provisions herein shall be binding upon the inure to the benefit of the respective successors and assignees to the same extent as if each such successor or assignee were named as a party to the contract.

9. **SEVERABILITY.** In the event any provision of this contract shall be or become invalid under any provision of federal, state or local law, such invalidity shall not affect the validity or enforceability of any other provision hereof.

10. **CITY LIABILITY.** The City agrees to indemnify and hold harmless the Authority, its agents and employees, against claims, damages, losses and expenses, including, but not limited to, attorney's fees arising out of, and resulting from, the acts or omissions of the City.

11. **AUTHORITY LIABILITY.** The Authority agrees to indemnify and hold harmless the City, its agents and employees, against claims, damages, losses and expenses, including, but not limited to, attorney's fees arising out of, and resulting from, the acts or omissions of the Authority.
12. **ENTIRE CONTRACT AND INCORPORATION.** This contract constitutes the entire agreement of the parties hereto and all previous communications between the parties, whether written or oral, with reference to the matter of this contract, are hereby superseded, as executed by City and Authority, is incorporated into this agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed and their respective seals to be hereunto affixed by their duly authorized officers the day and year first above written.

COHOES HOUSING AUTHORITY

By:



Katherine L. Oliver, Executive Director

CITY OF COHOES

By:

Shawn M. Morse, Mayor

State of New York)
) ss.:
County of Albany)

On the 20th day of October in the year 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Katherine L. Oliver, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(is), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

RANDALL WACHUNAS
Notary Public, State of New York
No. 01WA6338501
Qualified in Albany County
Commission Expires 03/14/2020

State of New York)
) ss.:
County of Albany)

On the _____ day of _____ in the year 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Shawn M. Morse, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

RESOLUTION NO. 72 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Resolution:

A RESOLUTION AMENDING THE ANNUAL
BUDGET FOR FISCAL YEAR 2016.

WHEREAS, a transfer of funds from a certain account to another account in the annual estimate has become necessary to meet our obligations,

NOW, THEREFORE, BE IT

RESOLVED, that the annual estimate for 2016 fiscal year is hereby amended in accordance with the budget line transfer form attached hereto and made a part hereof; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 25th day of October 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this ____ day of October 2016.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes, New York

City of Cohoes 2016 BUDGET
ACCOUNT CODE TRANSFER REQUEST FORM

Funds Transferred To	Funds transferred from	Account Code	Amount	Transfer Justification
The following transfers are budget Neutral				
PT Recreation Workers	A5110.1900	PT Summer Help		
PT Recreation Workers	A5110.1900	Contingency Account	\$ 4,355.00	Transfer money to cover year round PT Recreation workers
Water plant operators	F8330.1024	Filtration Plant Gas/Electric	\$ 20,000.00	Transfer money to cover year round PT Recreation workers
Pump Stations Expense	G8120.4960	Albany County Sewer District	\$ 13,500.00	Transfer money to cover salaries for PT Weekend water plant operator
Debt service- interest payments	G9710.6000	Albany County Sewer District	\$ 15,000.00	Transfer to cover repairs to St Mikes Pump Station and battery installations for 7 Pumps
Severance Pay-FD	A3410.1140	Retired 207A	\$ 17,700.00	Transfer to cover debt service payments to Albany County S.S. or District
Severance Pay-FD	A3410.1140	New FF retiree	\$ 6,600.00	Transfer money to cover severance pay in FD for rest of the year for 3 FF that retired in 2016
Severance Pay-FD	A3410.1140	Contingency Account	\$ 20,000.00	Transfer money to cover severance pay in FD for rest of the year for 3 FF that retired in 2016
			\$ 22,000.00	Transfer money to cover severance pay in FD for rest of the year for 3 FF that retired in 2016
				Balance in Contingency Account is \$28,255.00
The Following Transfer are an increase to the annual budget based on actual revenue received to date				
Speed and Seatbelt OT	A3120.1060	Grant Albany County	\$ 5,500.00	Transfer to cover grant from Albany County to cover Police OT for speed and seatbelt
CHIPS Expenses	A5112.2000	CHIPS Income	\$ 68,575.00	Transfer money to cover Bids and record additional income from NYS DOT

DATE

10/19/16

ORDINANCE NO. 8 FOR THE YEAR 2016

Members of Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Ordinance:

AN ORDINANCE ACCEPTING AN EASEMENT FROM COHOES-LION HEART HOUSING DEVELOPMENT FUND COMPANY, INC. FOR REPAIR AND MAINTENANCE OF A WATERLINE.

NOW THEREFORE, the City of Cohoes in Common Council convened ordains as follows:

Section 1. Cohoes-Lion Heart Housing Development Fund Company, Inc. has proposed granting an easement to the City of Cohoes for the purpose of access, excavation, inspection, maintenance, repair, removal and replacement of a waterline serving one or more properties known as 100-400 Lionheart Manor, Cohoes, New York for valuable consideration.

Section 2. The easement is hereby accepted and the Mayor is hereby authorized to execute an easement in substantially the same form as the easement attached hereto, which form shall be approved by the Corporation Counsel, and any related documents.

Section 3. The filing fees payable to the Albany County Clerk, if any, for filing the easement and related documents shall be paid by Cohoes-Lion Heart Housing Development Fund Company, Inc.

Section 4. This Ordinance shall take effect immediately.

Approved as to form this 25th day of October 2016

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

Ordinance No. 8 for the Year 2008
October 25, 2016
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I hereby approve the foregoing Ordinance of the Common Council.

Date

Mayor of the City of Cohoes, New York

ORDINANCE NO. 9 FOR THE YEAR 2016

Members of Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Ordinance:

AN ORDINANCE ACCEPTING AN EASEMENT
FROM JOSEPH MUSCATELLO.

NOW THEREFORE, the City of Cohoes in Common Council convened ordains as follows:

Section 1. Joseph Muscatello has proposed granting an easement to the City along 28 Mazurki Court to allow the City to correct drainage issues on the property created by the development of other properties in the area.

Section 2. The easement is hereby accepted and the Mayor is hereby authorized to execute it, in a form approved by the Corporation Counsel, and any related documents.

Section 3. The fees payable to the Albany County Clerk, if any, for filing the easement and any related documents shall be paid by Joseph Muscatello.

Section 4. This Ordinance shall take effect immediately.

Approved as to form this 25th day of October 2016

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date

Mayor of the City of Cohoes, New York

LOCAL LAW NO. 1 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier, Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Local Law:

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

BE IT ENACTED by the Common Council of the City of Cohoes as follows:

Section 1. Legislation Intent

It is the intent of this local law to allow the City of Cohoes to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Cohoes, County of Albany, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Approved as to form this 25th day of October 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of October 2016.

Clerk

President

I hereby approve the foregoing Local Law of the Common Council.

Date

Mayor of the City of Cohoes, New York