

1. 7:00 P.M. Cohoes Common Council Meeting
Common Council Meeting

Common Council Chambers

City Hall

Cohoes, New York 12047

AGENDA

February 28, 2023, 7:00 p.m.

MEETING

Roll Call

Public Comment

1. Resolution No. 13 – A Resolution amending the annual budget for the fiscal year 2022
2. Resolution No. 14 – A Resolution amending the annual budget for the fiscal year 2023
3. Resolution No. 15 – A Resolution accepting an award and authorizing the Mayor to execute an agreement under the New York State Department of Transportation Multi-Modal Grant Program
4. Resolution No. 16 – A Resolution approving the Compromise and Settlement of Pending Litigation

Documents:

[REVISED 2.28.23 LEGISLATION AND BACKUP MATERIAL.PDF](#)

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RESOLUTION NO. 13 FOR THE YEAR 2023

**A RESOLUTION AMENDING THE ANNUAL
BUDGET FOR FISCAL YEAR 2022**

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 2022 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 28th day of February, 2023.

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 Febuary, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes, New York

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RESOLUTION NO. 14 FOR THE YEAR 2023

**A RESOLUTION AMENDING THE ANNUAL
BUDGET FOR FISCAL YEAR 2023**

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 2023 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 28th day of February, 2023.

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 February, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes, New York

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RESOLUTION NO. 15 FOR THE YEAR 2023

**A RESOLUTION ACCEPTING AN AWARD AND AUTHORIZING
THE MAYOR TO EXECUTE AN AGREEMENT UNDER THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
MULTI-MODAL GRANT PROGRAM**

(Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid eligible costs, of a capital project, and appropriating funds therefor.)

WHEREAS a Project for the Columbia Street from Lancaster to James Street, P.I.N. 1MA505.30A(the Project") is eligible for funding under New York State's Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS the City of Cohoes desires to advance the Project by making a commitment of 100% of the costs of work for the Project or portions thereof; and

NOW, THEREFORE, the City of Cohoes Common Counsel, duly convened does hereby

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

RESOLVED, that the City of Cohoes Common Counsel hereby authorizes the Comptroller of the City of Cohoes to pay in the first instance 100% of the cost of the construction phase(s) of work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$100,000, is hereby appropriated from New York State Department of Transportation Multi-Modal #4 Program [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that in the event the costs of the phase(s) exceeds the amount appropriated above, the Common Counsel of the City of Cohoes 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 Multi-Modal Program Funding on behalf of the City of Cohoes with NYSDOT 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 all Project costs that are not so eligible, and it is further

RESOLVED, 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, that this Resolution shall take effect immediately.

STATE OF NEW YORK)
) SS:
COUNTY OF _____)

I, _____, Clerk of _____, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of _____, New York, this _____ day of _____, 20____.

Clerk of _____

Approved as to form this 28th day of February, 2023.

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 February, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes, New York

REQUEST FOR AGENDA ITEM
Legislative Request / BOM Request

Legislative Request BOM Request

Date 2/21/2023

Department Planning

Contact Person Joe Seman-Graves

PURPOSE FOR REQUEST:

Adoption of Resolution:

Adoption of Local Law:

Adoption of Ordinance:

Budget Amendment:

Bond Approval:

Contract Authorization:

Other (Briefly Explain) _____

Budget Amendment (State the following)

Increase Account/Line No. _____

Decrease Account /Line No. _____

Source of Funds _____

CONTRACT AUTHORIZATION

Purchase Equipment/Supplies:

Lease Equipment/Supplies:

Professional Services:

Education/Training:

Settlement of Claim:

Grants:

New 100,000

Renewal _____

Submission Dead Line _____

Fiscal Impact in Dollars or Percentage

Federal _____
State _+ \$100,000 _____
City of Cohoes _____
National Grid _____

All back -up material has been submitted _x_

Explanation:

The City of Cohoes is currently undertaking the Columbia Street Phase II Sewer Separation project which is projected to be completed in the Spring of 2023. As part of this project, sidewalks and City ROW's will be removed and replaced in selective locations along the project route. In order to capitalize on this work, our goal was to identify additional sources of funding that could be used to replace the portions of unaffected sidewalks along Columbia Street, between Broadway and Sandusky. This would greatly benefit all pedestrian traffic, especially residents of our downtown traveling to and from the middle school.

In January 0f 2021, the Cohoes Common Council authorized the acceptance of \$100,000 from the New York State Department of Transportation to help alleviate the \$137,000 cost for the addition of replacing 1,125 linear feet of sidewalks in the Columbia Street Phase II project path that would have otherwise been left as is. The city was informed in early February of 2023 that the NYSDOT did not have a record of the resolution that was passed by the Common Council in January of 2021, and that they would need a new resolution signed and resubmitted that reflects their current language.

Nothing has changed with the project from the original approval that the Common Council gave to accept this grant in 2021. This request is to simply reauthorize the approval and to provide the NYSDOT with an updated resolution which I have attached for your review.

Thank you and please contact me should you have any questions.

Submitted by: Joe Seman-Graves _____ date 2/21/2023 _____

CITY OF COHOES OFFICE OF PLANNING

JOSEPH SEMAN-GRAVES
CITY PLANNER
jseman-graves@ci.cohoes.ny.us



PHONE: 518 233-2130
97 Mohawk Street
Cohoes, NY 12047

February 21st, 2023

Honorable William T. Keeler
Mayor of Cohoes
97 Mohawk Street
Cohoes, N.Y. 12047

Re: Acceptance of \$100,000 under the NYDOT Multi-Modal grant program.

Dear Mayor Keeler,

The City of Cohoes is currently undertaking the Columbia Street Phase II Sewer Separation project which is projected to be completed in the Spring of 2023. As part of this project, sidewalks and City ROW's will be removed and replaced in selective locations along the project route. In order to capitalize on this work, our goal was to identify additional sources of funding that could be used to replace the portions of unaffected sidewalks along Columbia Street, between Broadway and Sandusky. This would greatly benefit all pedestrian traffic, especially residents of our downtown traveling to and from the middle school.

In January of 2021, the Cohoes Common Council authorized the acceptance of \$100,000 from the New York State Department of Transportation to help alleviate the \$137,000 cost for the addition of replacing 1,125 linear feet of sidewalks in the Columbia Street Phase II project path that would have otherwise been left as is. The city was informed in early February of 2023 that the NYSDOT did not have a record of the resolution that was passed by the Common Council in January of 2021, and that they would need a new resolution signed and resubmitted that reflects their current language.

Nothing has changed with the project from the original approval that the Common Council gave to accept this grant in 2021. This request is to simply reauthorize the approval and to provide the NYSDOT with an updated resolution which I have attached for your review.

Thank you for your time and consideration.

Sincerely,

Joseph Seman-Graves

Joseph Seman-Graves
City Planner
City of Cohoes

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RESOLUTION NO. 16 FOR THE YEAR 2023

**A RESOLUTION APPROVING THE COMPROMISE
AND SETTLEMENT OF PENDING LITIGATION**

WHEREAS, Keybank National Association commenced a proceeding pursuant to NYS Real Property Tax Law Article 7 regarding the 2022 assessment of real property commonly known as 72 Mohawk Street (Tax Map No.: 10.59-1-30.10); and

WHEREAS, a settlement proposal resolving the litigation was recommended by the Vincelette Law Firm, counsel for the City; and

WHEREAS, such proposed settlement would present the parties with an expeditious and economic alternative to further litigation; and

WHEREAS, the City Council has determined that the proposed settlement is in the best interest of the City,

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby approve the proposed settlement with KeyBank National Association as set forth in the attached Stipulation and Consent Order; and be it further

RESOLVED, that the Vincelette Law Firm is hereby authorized to sign the attached Stipulation and Consent Order on behalf of the City and the City shall comply with the terms of said Stipulation and Consent Order; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 28th day of February, 2023.

Brian S. Kremer
Corporation Counsel

Resolution No. 16 for the Year 2023
February 28, 2023
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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 February, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes