

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

Common Council Meeting

Common Council Chambers

City Hall

Cohoes, New York 12047

AGENDA

April 26, 2022, 7:00 p.m.

MEETING

Roll Call

Public Comment

1. Approve minutes of the February 8, 2022, February 22, 2022 and March 8, 2022 meetings
2. Ordinance No 4. – An Ordinance accepting an easement from Thomas Brennan – in, over, on and through 54 Garner Street
3. Ordinance No. 5 – An Ordinance approving the granting of a license to Mobility Development Operations, LLC regarding a CarShare Program
4. Ordinance No. 6 – An Ordinance approving a Bike Share Memorandum of Understanding with the Capital District Transportation Authority
5. Resolution No. 20 – A Resolution appointing and/or reappointing members of the Board of Assessment Review
6. Resolution No. 21 – A Resolution approving a shared services agreement between the City of Cohoes and the Village of Green Island
7. Resolution No. 22- A Resolution approving a contract for the Remsen Street Phase III Project with Callahan Industries
8. Resolution No. 23 – A Resolution approving the Compromise and Settlement of Pending Litigation
9. Resolution No. 24 – A Resolution awarding a contract for certain upgrades to the

City's computer systems to Nordutch Technologies and authorizing the Mayor to execute an agreement and/or related documents regarding same

Documents:

[4-26-22 LEGISLATION AND ADDITIONAL BACKUP.PDF](#)

COMMON COUNCIL PROCEEDINGS
Tuesday, February 8, 2022 - 7:00 P.M.
Common Council Special Meeting
Common Council Chambers

Roll call was taken

PRESENT:

Mayor Keeler
Council President McCarthy
Council Member Smith
Council Member Russell
Council Member Briggs
Council Member Biggs
Council Member Alesio

EXCUSED:

None

The Common Council Workshop was conducted prior to the Common Council Special Meeting.

At 7:38 PM, the Common Council Special Meeting began.

Resolution No. 10 for 2022

A RESOLUTION ACCEPTING FUNDING FROM THE NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE CITY OF COHOES HISTORIC CITY HALL ROOF RESTORATION PROJECT

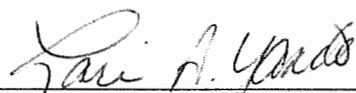
Council Member Biggs made a MOTION to approve Resolution No. 10 for 2022. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 10 for 2022 passed.

Resolution No. 11 for 2022

A RESOLUTION APPROVING THE PURCHASE OF ONE INTIMIDATOR 18XP BRUSH BANDIT WITH ATTACHMENTS FOR USE BY THE DEPARTMENT OF PUBLIC WORKS

Council Member Russell made a MOTION to approve Resolution No. 11 for 2022. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 11 for 2022 passed.

At 7:41 PM, Council Member Russell made a MOTION to adjourn the Common Council Special Meeting. Seconded by Council Member Alesio. All members voted "AYE".



Lori A. Yando, City Clerk

COMMON COUNCIL PROCEEDINGS
Tuesday, February 22, 2022 - 6:00 P.M.
Common Council Regular Meeting
Common Council Chambers

Roll call was taken

PRESENT:

Council President McCarthy
Council Member Smith
Council Member Russell
Council Member Briggs
Council Member Biggs
Council Member Alesio

EXCUSED:

Mayor Keeler

Public Comment: None

Council Member Russell made a MOTION to approve the minutes of the October 28, 2021 and November 23, 2021 meetings. Council Member Biggs seconded the motion. All members voted "AYE".

Ordinance No. 2 for 2022

AN ORDINANCE ACCEPTING THE CONVEYANCE OF REAL PROPERTY CONTAINING A PORTION OF THE ORIGINAL CHAMPLAIN CANAL IN THE CITY OF COHOES

Council Member Russell made a MOTION to approve Ordinance No. 2 for 2022. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Ordinance No. 2 for 2022 passed.

Resolution No. 12 for 2022

A RESOLUTION AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2021

Council Member Russell made a MOTION to approve Resolution No. 12 for 2022. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 12 for 2022 passed. A copy of budget transfers are attached.

Resolution No. 13 for 2022

A RESOLUTION ACCEPTING A GRANT AWARD FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND RELATED DOCUMENTS REGARDING SAME

Council Member Russell made a MOTION to approve Resolution No. 13 for 2022. Seconded by Council Member Biggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 13 for 2022 passed.

Resolution No. 14 for 2022

A RESOLUTION ACCEPTING A GRANT AWARD FROM THE NYS DEPARTMENT OF STATE THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND RELATED DOCUMENTS REGARDING SAME

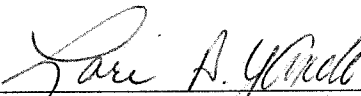
Council Member Russell made a MOTION to approve Resolution No. 14 for 2022. Seconded by Council Member Alesio. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 14 for 2022 passed.

Resolution No. 15 for 2022

A RESOLUTION ACCEPTING A GRANT FROM THE WILLIAM G. POMEROY FOUNDATION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND RELATED DOCUMENTS

Council Member Biggs made a MOTION to approve Resolution No. 15 for 2022. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 15 for 2022 passed.

At 6:04 PM, Council Member Russell made a MOTION to adjourn the Common Council Meeting. Seconded by Council Member Alesio. All members voted "AYE".



Lori A. Yando, City Clerk

COMMON COUNCIL PROCEEDINGS
Tuesday, March 8, 2022 - 7:00 P.M.
Common Council Workshop and Special Meeting
Common Council Chambers

At 7:11 PM the Common Council Special Meeting began.

Roll call was taken

PRESENT:

Mayor Keeler
Council President McCarthy
Council Member Smith
Council Member Russell
Council Member Briggs
Council Member Biggs
Council Member Alesio

EXCUSED:

None

Public Comment: None

Resolution No. 16 for 2022


A RESOLUTION APPROVING A CONTRACT FOR THE MOHAWK-HUDSON BIKE TRAIL GREEN INFRASTRUCTURE CORRIDOR PROJCT WITH NEW CASTLE PAVING, LLC

Council Member Russell made a MOTION to approve Resolution No. 16 for 2022. Seconded by Council Member Biggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". Resolution No. 16 for 2022 passed.

At 7:15 PM, Council President McCarthy made a MOTION to adjourn into Executive Session to discuss a personnel matter. Seconded by Council Member Russell. All members voted "AYE".

At 7:51 PM Council President McCarthy made a MOTION to adjourn from Executive Session. Seconded by Council Member Briggs. Council President McCarthy, and Council Members Smith, Russell, Briggs, Biggs, and Alesio voted "AYE". No voting took place.

At 7:51 PM, Council Member Russell made a MOTION to adjourn the Common Council Special Meeting. Seconded by Council Member Smith. All members voted "AYE". The Common Council Special Meeting concluded.


Lori A. Yando, City Clerk

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ORDINANCE NO. 4 FOR THE YEAR 2022

**AN ORDINANCE ACCEPTING AN EASEMENT FROM
THOMAS BRENNAN- IN, OVER, ON AND THROUGH 54 GARNER STREET**

WHEREAS, the owner of 54 Garner Street is willing to grant a temporary easement to the City of Cohoes in, over, on and through such property as may be necessary to install a 36 inch storm line under Johnson Avenue related to the Mohawk-Hudson Bike Trail Green Infrastructure Corridor Project, together with the right of the City and its employees, agents, contractors or subcontractors to enter upon the property with materials and equipment for the performance of the work and do all things convenient and necessary;

WHEREAS, City of Cohoes would like to accept such temporary easement in order to efficiently complete the project referenced above.

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

Section 1. The City of Cohoes shall accept the temporary easement in, over on and through 54 Garner Street.

Section 2. The Mayor is hereby authorized to execute a Temporary Easement Agreement, in a form approved by the Corporation Counsel, regarding 54 Garner Street and any related documents.

Section 3. This Ordinance shall take effect immediately.

Approved as to form this 20th day of April, 2022.

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 April, 2022.

Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date

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

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ORDINANCE NO. 5 FOR THE YEAR 2022

**AN ORDINANCE APPROVING THE GRANTING OF A LICENSE TO
MOBILITY DEVELOPMENT OPERATIONS, LLC REGARDING
A CARSHARE PROGRAM**

WHEREAS, Capital District Transportation Authority (CDTA), in association with Mobility Development Operations, LLC, has begun operating a CarShare program and

WHEREAS, CDTA has requested that the City of Cohoes participate in such program; and

WHEREAS, the program requires that the City of Cohoes grant a license to Mobility Development Operations, LLC for one dedicated on-street parking space for a three year period, with an option for a two year extension, in front of 65 Remsen Street; and

WHEREAS, the City of Cohoes would like to participate in the program for the benefit of its residents.

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

Section 1. A license for one dedicated on-street parking space in front of 65 Remsen Street for a three year period, with an option for a two year extension, is hereby granted to Mobility Development Operations, LLC in accordance with the attached license agreement.

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

Section 3. This Ordinance shall take effect immediately.

Approved as to form this 26th day of April , 2022.

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 April, 2022.

Ordinance No. 5 for the Year 2022
April 26, 2022
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Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date

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

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ORDINANCE NO. 6 FOR THE YEAR 2022

**AN ORDINANCE APPROVING A BIKE SHARE MEMORANDUM
OF UNDERSTANDING WITH THE CAPITAL DISTRICT
TRANSPORTATION AUTHORITY**

WHEREAS, CDTA has been operating CDPHP *Cycle!*, the Capital Region’s bike-share program, for several seasons in partnership with other municipalities; and

WHEREAS, CDTA, in partnership with the Village of Menands, the City of Watervliet, the Village of Green Island, and the Residential and Commercial Development on Starbuck Island will create a new unified riding areas within the network covering each entity; and

WHEREAS, the City of Cohoes would like to participate in the program for the benefit of its residents.

NOW, THEREFORE, BE IT

RESOLVED, that the Memorandum of Understanding with the Capital District Transportation Authority for CDPHP Cycle! Bike Sharing Operations is hereby approved; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Memorandum of Agreement in a form acceptable to the Corporation Counsel; and be it further

RESOLVED, that this Ordinance shall take effect immediately.

Approved as to form this 26th day of April, 2022.

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 April, 2022.

Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date

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

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RESOLUTION NO. 20 FOR THE YEAR 2022

**A RESOLUTION APPOINTING AND/OR REAPPOINTING MEMBERS
OF THE BOARD OF ASSESSMENT REVIEW**

WHEREAS, NYS Real Property Tax Law requires that each local government appoint a Board of Assessment Review to perform certain functions set forth in NYS Real Property Tax Law; and

WHEREAS, NYS Real Property Tax Law requires that the members of the Board of Assessment Review be appointed by the legislative body of the local government for terms of five years; and

WHEREAS, certain prior appointments may have been inconsistent with NYS Real Property Tax Law and the Common Council desires to correct any such inconsistency and make appointments in a manner required by the NYS Real Property Tax Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby appoints and/or reappoints members to the Board of Assessment Review as follows:

Steven Lemay, for a term expiring September 30, 2026
Kevin Flatley, for a term expiring September 30, 2025
Joe McCormick, for a term expiring September 30, 2024
Mark Retzlaff, for a term expiring September 30, 2023
Tom Garrity, for a term expiring September 30, 2022;

and it is further

RESOLVED, that this Resolution shall supersede all resolutions and actions appointing members to the Board of Assessment Review inconsistent herewith; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this _____ day of April, 2022.

Brian S. Kremer
Corporation Counsel

Resolution No. 20 for the Year 2022

April 22, 2022

Page 2

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of April, 2022.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes

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RESOLUTION NO. 21 FOR THE YEAR 2021

**A RESOLUTION APPROVING A SHARED SERVICES
AGREEMENT BETWEEN THE CITY OF COHOES AND
THE VILLAGE OF GREEN ISLAND**

WHEREAS, the City of Cohoes and the Village of Green Island have a goal of reducing costs through shared services and equipment; and

WHEREAS, the City of Cohoes and the Village of Green Island have reached an agreement to share certain equipment, vehicles and services to accomplish this goal; and

WHEREAS, the City of Cohoes has the power and authority to enter into an agreement with the Village of Green Island pursuant to Article 5-G of the General Municipal Law.

NOW, THEREFORE, BE IT

RESOLVED, that the shared services agreement between the City of Cohoes and the Village of Green Island is hereby approved; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the shared services agreement, attached hereto, which form has been approved by the Corporation Counsel; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 26th day of April, 2022.

Brian S. Kremer
Corporation Counsel

Resolution No. 21 for the Year 2022
April 26, 2022
Page 2

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of April, 2022.

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. 22 FOR THE YEAR 2022

**A RESOLUTION APPROVING A CONTRACT FOR THE
REMSEN STREET PHASE III PROJECT WITH
CALLAHAN INDUSTRIES**

WHEREAS, the City has advertised and received bids pursuant to law from companies regarding the Remsen Street Phase III Project; and

WHEREAS, the Board of Managers has awarded a contract to Callahan Industries, PO Box 15097, Albany, NY 12212, as the lowest responsible bidder, with a base bid of \$579,500.00 and alternate bids of \$9,500.00, \$52,500.00, \$43,100.00 and \$15,750.00 for Alternates 2 through 5, respectively, for a total price of \$700,350.00, subject to Common Council approval.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby approves the awarding of a contract for the Remsen Street Phase III Project to Callahan Industries, PO Box 15097, Albany, NY 12212 for the total cost of \$700,350.00 consisting of a base bid of \$579,500.00 plus \$9,500.00, \$52,500.00, \$43,100.00 and \$15,750.00 for Alternates 2 through 5, respectively; and be it further

RESOLVED, that Mayor is hereby authorized to execute a contract with the successful bidder in a form approved by the Corporation Counsel; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 26th day of April, 2022.

Brian S. Kremer
Corporation Counsel

Resolution No. 22 for the Year 2022
April 26, 2022
Page 2

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of April, 2022.

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. 23 FOR THE YEAR 2022

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

WHEREAS, Erie Boulevard Hydropower, LP commenced a proceeding pursuant to NYS Real Property Tax Law Article 7 regarding the 2021 assessment of its property at School Street and North Mohawk Street known as the School Street Hydroelectric property; and

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

WHEREAS, such a 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 Erie Boulevard Hydropower, LP as set forth in the attached Consent Order and Judgment; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 26th day of April, 2022.

Brian S. Kremer
Corporation Counsel

Resolution No. 23 for the Year 2022
April 26, 2022
Page 2

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of April, 2022.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

Mayor of the City of Cohoes

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RESOLUTION NO. 24 FOR THE YEAR 2022

**A RESOLUTION AWARDING A CONTRACT FOR CERTAIN
UPGRADES TO THE CITY'S COMPUTER SYSTEMS TO
NORDUTCH TECHNOLOGIES AND AUTHORIZING THE
MAYOR TO EXECUTE AN AGREEMENT AND/OR RELATED
DOCUMENTS REGARDING SAME**

WHEREAS, the City's computer systems are in need of certain upgrades in order to protect the City's data from potential cybersecurity issues; and

WHEREAS, pursuant to New York State Law and the City's Procurement Policy, the City is not required to competitively bid for such services; and

WHEREAS, NorDutch Technologies has submitted a proposal to perform the required services and/or provide the required equipment at a projected initial cost of \$14,418.00 and a monthly cost of \$6918.00 plus certain hourly rates as set forth in the proposal; and

WHEREAS, the Board of Managers has awarded a contract for the required work to NorDutch Technologies, subject to Common Council approval.

NOW, THEREFORE, BE IT

RESOLVED, that the proposal of NorDutch Technologies is hereby accepted, the contract is awarded to NorDutch Technologies, and the Mayor is hereby authorized to sign an agreement and/or related documents regarding same upon approval as to form by the Corporation Counsel; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Approved as to form this 26th day of April, 2022

Brian S. Kremer
Corporation Counsel

Resolution No. 24 for the Year 2022
April 26, 2022
Page 2

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of April, 2022.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

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