

1. 7:00 P.M. Common Council Meeting
Common Council Meeting
Cohoes City Hall
Cohoes, New York 12047

AGENDA

Tuesday, July 25, 2023, 7:00 p.m.

MEETING

Roll Call

Public comment

1. Ordinance No. 5 – An Ordinance amending Sub-section A of section 198-33 of the Code of the Cohoes City regarding vendor license fees
2. Ordinance No. 7 – A Bond Ordinance, dated July 25, 2023, of the Common Council of the City of Cohoes, Albany County, New York (the “City”), authorizing the undertaking of various capital improvement projects to various city facilities, at an estimated maximum cost of \$995,000, and authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$995,000 of the city, pursuant to the local finance law to finance said purpose, said amount to be offset by any Federal, State, County and/or Local funds received, and delegating the power to issue bond anticipation note in anticipation of the sale of such bonds to the City Comptroller
3. Resolution No. 37 – A Resolution amending the annual budget for Fiscal Year 2023
4. Resolution No. 38 – A Resolution authorizing the Mayor to execute one or more agreements with National Grid for Restoration of Certain Streets
5. Resolution No. 39 – A Resolution determining that action to undertake various capital improvement projects to various city facilities will not have a significant effect on the environment

Documents:

[7.25.2023 COUNCIL MEETING LEGISLATION AND BACKUP MATERIAL-2.PDF](#)

Meeting

1

ORDINANCE NO. 5 FOR THE YEAR 2023

**AN ORDINANCE AMENDING SUB-SECTION A OF SECTION 198-33
OF THE CODE OF THE COHOES CITY REGARDING VENDOR LICENSE FEES**

WHEREAS, it has become necessary to make modifications to Sub-Section A of Section 198-33 of the Code of the City of Cohoes, addressing Vendor License Fees, in order to address certain concerns brought to the attention of the Common Council; and

WHEREAS, a majority of the Common Council believes that amending Section 198-33 of the Code of the City of Cohoes is in the best interest of the City and its inhabitants.

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

Section 1. Sub-Section A of Section 198-33, known as “§ 198-33 License Fees” and contained in Article II of Chapter 198, of the Code of the City of Cohoes, is hereby amended to read in its entirety as follows:

“§ 298-3 LICENSE FEES.

A.

Any vendor granted a vending license under this article shall pay an annual license fee of Five Hundred Dollars (\$500) or One Hundred Twenty-Five Dollars (\$125) for a three (3) month period. Any vendor granted a temporary vending permit for special events shall pay a fee of Twenty Dollars (\$20.00) for each day of vending permitted.

Section 2. This ordinance shall take effect immediately.

Approved as to form this 25th day of July, 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 July, 2023.

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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A. Joseph Scott, III
Partner
Direct Dial: 518-433-2419
ascott@hodgsonruss.com



July 24, 2023

Via E-mail: mdurocher@ci.cohoes.ny.us.com

Michael J. Durocher, Comptroller
City of Cohoes
97 Mohawk Street
Cohoes, New York 12047

Re: City of Cohoes, Albany County, New York;
\$995,000 Bond Ordinance for Various Capital Projects

Dear Mr. Durocher:

Per the working group's discussion, enclosed is a bond ordinance for various capital projects. We understand that this will be presented to the Common Council for their consideration at the July 25th meeting. Thank you for confirming that the estimated maximum amount of the projects and the amount authorized in bonds is \$995,000.

Please note that the bond ordinance must be adopted by at least a two-thirds (2/3) majority of the entire Council, not just that fraction of those in attendance. Unless the City has adopted a local law changing the process by which a bond ordinance is adopted, this bond ordinance is effective immediately. (Please contact me immediately if such a local law exists.)

Also enclosed is an Estoppel Notice with a summary of the Bond Ordinance that should be submitted to the City's official newspaper(s) after adoption of the Bond Ordinance. Kindly forward to me one certified copy of the Bond Ordinance and one original Affidavit of Publication (with original newspaper clipping attached) for the Estoppel Notice when the same becomes available. For your convenience, I have included a checklist.

If you have any questions, please contact me, my colleague Frank Sarratori (518-433-2421) or our bond paralegal, Samantha Rose (518-433-2455).

Michael J. Durocher
July 24, 2023
Page 2

Please distribute this document to additional City officials as you see fit.

Very truly yours,

A. Joseph Scott, III

Enclosures

cc: Brian Kremer, Corporation Counsel (w/enclosure, via email)

To: A. Joseph Scott, III, Esq.
Partner
Hodgson Russ LLP
677 Broadway, Suite 401
Albany, New York 12207

Re: City of Cohoes, Albany County, New York;
\$995,000 Bond Ordinance for Various Capital Projects

Date: _____, 2023

I hereby enclose the following legal documents:

- _____ one certified copy of the SEQRA resolution;
- _____ one certified copies of the bond ordinance; and
- _____ one original affidavit of publication (with original newspaper clipping attached) for the estoppel notice when the same becomes available.

Forwarded by: _____ phone: _____

Questions:

	<u>Phone</u>	<u>Fax</u>	<u>E-mail</u>
A. Joseph Scott, III, Esq.	518-465-2333	518-465-1567	ascott@hodgsonruss.com
Frank Sarratori, Esq.	518-433-2421	518-465-1567	fsarratori@hodgsonruss.com
Samantha Rose, Paralegal	518-433-2455	518-465-1567	smrose@hodgsonruss.com

CITY OF COHOES
ALBANY COUNTY, NEW YORK
EXTRACT OF MINUTES

A meeting of the Common Council of the City of Cohoes, Albany County, New York (the “City”) was convened in public session at the City Hall, 97 Mohawk Street, Cohoes, New York on July 25, 2023 at 7:00 o’clock p.m., local time.

The meeting was called to order by _____ and, upon roll being called, the following members were:

PRESENT:

William McCarthy	President
Justin Alesio	Vice President
Adam Biggs	Councilmember
Christopher Briggs	Councilmember
Donald Russell	Councilmember
William Smith	Councilmember

ABSENT:

ALSO PRESENT:

The following ordinance was offered by _____ and seconded by _____, to wit;

ORDINANCE NO. 7 FOR THE YEAR 2023

A BOND ORDINANCE, DATED JULY 25, 2023, OF THE COMMON COUNCIL OF THE CITY OF COHOES, ALBANY COUNTY, NEW YORK (THE “CITY”), AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENT PROJECTS TO VARIOUS CITY FACILITIES, AT AN ESTIMATED MAXIMUM COST OF \$995,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$995,000 OF THE CITY, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY COMPTROLLER.

WHEREAS, the Common Council of the City of Cohoes, Albany County, New York (the “City”) desires to undertake various capital improvement projects for the City; and

WHEREAS, the City desires to authorize the issuance of obligations to finance such projects;

NOW, THEREFORE, BE IT

RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

SECTION 1. The City is hereby authorized to undertake various capital improvement projects to various City facilities (hereinafter referred to as the “purpose”), including, but not limited to the following:

(A) Acquisition of the premises known as the Cohoes Saving Bank Building located at 75 Remsen Street, Cohoes, New York. The aggregate estimated maximum cost of said purpose will not exceed \$550,000. It is hereby determined that said purpose is an object or purpose described in subdivision 11(b) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty-five (25) years.

(B) Undertaking of various capital improvements to City parks playground facilities, including but not limited to, the improvement and embellishment to such facilities, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto. The aggregate estimated maximum cost of said purpose will not exceed \$445,000. It is hereby determined that said purpose is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the

Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

SECTION 2. The Common Council plans to finance the estimated maximum cost of the purpose by the issuance of serial bonds in an aggregate amount not to exceed \$995,000 of said City, hereby authorized to be issued therefor pursuant to the Local Finance Law. Any grants received by the City relating to the purpose will be applied to finance a portion of said purpose, or to pay down any obligations issued by the City, and thereby reduce the principal amount of the obligations to be issued by the City.

SECTION 3. Current funds are not required to be provided prior to the issuance of the bonds authorized by this ordinance or any notes issued in anticipation of the sale of said bonds.

SECTION 4. It is hereby determined the proposed maturity of the obligations authorized by this ordinance will be in excess of five years.

SECTION 5. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 6. Subject to the provisions of this ordinance and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the City Comptroller, the chief fiscal officer of the City. Without in any way limiting the scope of the foregoing delegation of powers, the Comptroller, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the City.

SECTION 7. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this ordinance. The City then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this ordinance (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This ordinance shall constitute the declaration of the City's "official intent" to reimburse the

expenditures authorized by Section 1 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 8. The City Comptroller is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this ordinance, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this ordinance, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 9. The City Comptroller is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this ordinance, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. By separate resolution or resolutions, the City has complied with the provisions of the State Environmental Quality Review Act ("SEQRA") with respect to the purposes described in this ordinance.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of publication of this ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. The City Clerk is hereby authorized and directed to publish this ordinance or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 13. This ordinance is effective immediately.

Approved as to form this 25th day of July, 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 July, 2023.

Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date: _____

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

The question of the adoption of the foregoing ordinance was duly put to vote on a roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

The foregoing ordinance was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER
(Various Capital Improvements Project)

The undersigned hereby certifies that:

(1) The undersigned is the duly qualified and acting Clerk of the City of Cohoes, Albany County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council; and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of an ordinance duly adopted at a meeting of the Common Council held on July 25, 2023 and entitled:

A BOND ORDINANCE, DATED JULY 25, 2023, OF THE COMMON COUNCIL OF THE CITY OF COHOES, ALBANY COUNTY, NEW YORK (THE "CITY"), AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENT PROJECTS TO VARIOUS CITY FACILITIES, AT AN ESTIMATED MAXIMUM COST OF \$995,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$995,000 OF THE CITY, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY COMPTROLLER.

(3) Such meeting was duly convened and held and such ordinance was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or such regulations, due and proper notice of such meeting was given. A legal quorum of members of the Common Council was present throughout such meeting, and a legally sufficient number of members (2/3 of the Common Council) voted in the proper manner for the adoption of the ordinance. All other requirements and proceedings under law, such regulations, or otherwise, incident to such meeting and the adoption of the ordinance, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has executed this certificate on July ____, 2023.

(SEAL)

City Clerk

**THE FOLLOWING PAGE IS THE
LEGAL NOTICE (ESTOPPEL NOTICE)
IT IS TO BE PUBLISHED (ONE TIME)
AFTER THE ADOPTION OF THE BOND
ORDINANCE**

**NOTICE OF BOND ORDINANCE
CITY OF COHOES**

NOTICE IS HEREBY GIVEN that a bond ordinance, a summary of which is published herewith, has been adopted by the Common Council of the City of Cohoes, Albany County, on July 25, 2023 and the validity of the obligations authorized by such ordinance may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the City of Cohoes is not authorized to expend money or

(b) the provisions of the law which should have been complied with as of the date of publication of this notice were not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication of this notice; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF BOND ORDINANCE

The following is a summary of a bond ordinance adopted by the Common Council of the City of Cohoes on July 25, 2023. The proceeds from the sale of the obligations authorized in such bond ordinance shall be used for undertaking various capital improvement projects to and for various City facilities. Such projects will generally consist of (1) the acquisition of the premises known as the Cohoes Saving Bank Building located at 75 Remsen Street, Cohoes, New York, and (2) the undertaking of various capital improvements to City parks playground facilities, including but not limited to, the improvement and embellishment to such parks, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto (collectively, the "Purpose"). The estimated maximum cost of said purpose is \$995,000. Such bond ordinance authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate amount not to exceed \$995,000 such amount to be offset by any federal, state, county and/or local funds received. The period of probable usefulness for such purpose is between 5 and 25 years. A copy of the ordinance summarized herein is available for public inspection during normal business hours at the Office of the City Clerk, located in City Hall, 97 Mohawk Street, Cohoes, New York.

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RESOLUTION NO. 37 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 25th day of July, 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 July, 2023.

Clerk

President

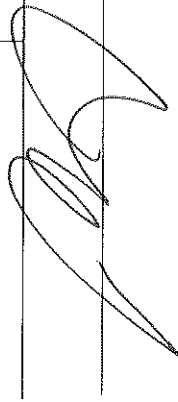
I hereby approve the foregoing Resolution of the Common Council.

Date

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

City of Cohoes 2023 BUDGET
ACCOUNT CODE TRANSFER REQUEST FORM

Funds Transferred To	Funds transferred from	Account Code	Amount	Transfer Justification
The Following transfers are budget Neutral				
LITIGATION FEES	A1420.4220 SALARY EXECUTIVE ASST TO MAYO	A1210.1470	\$ 20,000.00	TRANSFER TO COVER ARBITRATION EXPENSES
SR TYPIST- PLANNING	A8686.1022 SALARY EXECUTIVE ASST TO MAYO	A1210.1470	\$ 21,500.00	TRANSFER TO COVER SALARY FULL TIME EMPLOYEE IN PLANNING DEPT
MEO HEAVY- TRANS/DIST	F8340.1006 MEO LIGHT- TRANS/DIST	F8340.1007	\$ 37,500.00	TRANSFER TO COVER THE SALARY FOR PROMOTION OF DPW EMPLOYEE
The Following Transfer are an increase to the annual budget based on actual revenue received to date				
REPAIRS TO STAIONARY EQUIPMENT	F8330.4653 SALES OF WATER OUT OF TOWN	F2378	\$ 85,000.00	TRANSFER TO COVER WTP SODIUM CHLORITE UPGRADES AND REBUILDING OF SHAFT/BEARINGS



DATE 7/26/23

4

RESOLUTION NO. 38 FOR THE YEAR 2023

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ONE OR MORE AGREEMENTS WITH NATIONAL GRID FOR RESTORATION OF CERTAIN STREETS

WHEREAS, the City and National Grid have had discussions regarding the restoration of certain streets that have been disturbed due to National Grid's replacement and/or maintenance of gas and/or electric lines; and

WHEREAS, the City and National Grid have agreed that National Grid will restore the paving on such streets to grade work and that the final restoration will be undertaken by the City; and

WHEREAS, pursuant to the parties' agreement, National Grid will pay to the City the agreed upon cost for final restoration of the streets.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to sign one or more agreements with National Grid for the final restoration of portions of Columbia and James Streets (Project One), Imperial Avenue (Project Two), and Grant and Vine Streets (Project Three) and any related documents regarding same 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 25th day of July, 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 July, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes

REQUEST FOR AGENDA ITEM
Legislative Request / BOM Request

Legislative Request BOM Request

Date 7/18/2023
Department Building & Planning
Contact Person Joe Seman-Graves

PERPOSE 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. + 83,777.74
Decrease Account /Line No. _____
Source of Funds National Grid

CONTRACT AUTHORIZATION

Purchase Equipment/Supplies: _____
Lease Equipment/Supplies: _____
Professional Services: _____
Education/Training: _____
Settlement of Claim: _____

Grants:
New _____
Renewal _____
Submission Dead Line _____

Fiscal Impact in Dollars or Percentage
Federal _____
State _____

City of Cohoes _____ + 83,777.74_
All back -up material has been submitted _x_____

Explanation:

The City has been working with National Grid to coordinate paving and restoration schedules in order to efficiently complete gas and roadwork projects in a manner that reduces redundancy and provides an opportunity for cost savings to both Cohoes and National Grid.

One avenue to save costs and increase efficiency that we have explored is to have the City bid on restoration work that would have otherwise been completed by a third party company under National Grid. For example, when National Grid completes a gas main or lateral replacement they would typically hire a company to come in behind them and put asphalt over the openings to complete the restoration efforts – and when driving down the street this work is very noticeable as it lacks contiguity with the rest of the pavement.

In 2021 the City and National Grid piloted a new program to Upstate New York on Mohawk and Seneca Streets, and continued this into 2022 with additional agreements for work on Park Avenue, Bridge Avenue, Leverssee, Platt, Watervliet, Eagle, and Second Streets.

This year and to this point, the City has provided estimates for the following streets which are grouped into three projects:

- Project 1: Columbia and James;
- Project 2: Imperial Avenue; and
- Project 3: Grant and Vine Streets.

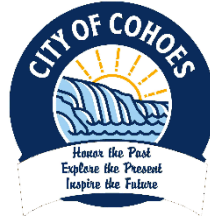
In total, National Grid has accepted estimates that amount to the City receiving \$83,777.74 for the subject restoration work. The restoration was estimated for the trench lines themselves and does not take into account the newly passed utility excavation legislation as these permits were pulled before the legislation was passed. Additional National Grid work this year will take into account the restoration scope as dictated by the new legislation. If these agreements are approved by the Common Council in addition to the roads being approved to be paved, then the City will be able to accept these funds and put it towards a complete restoration of the streets rather than having National Grid patch their work ahead of the city paving these streets – all of which are on the 2023 approved paving list.

Please review the attached estimates and proposed agreement and reach out should you have any questions.

Submitted by: Joe Seman-Graves date 7/18/2023

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

July 18th, 2023

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

Re: 2023 National Grid Restoration Agreements

Dear Mayor Keeler,

The City has been working with National Grid to coordinate paving and restoration schedules in order to efficiently complete gas and roadwork projects in a manner that reduces redundancy and provides an opportunity for cost savings to both Cohoes and National Grid.

One avenue to save costs and increase efficiency that we have explored is to have the City bid on restoration work that would have otherwise been completed by a third-party company under National Grid. For example, when National Grid completes a gas main or lateral replacement, they would typically hire a company to come in behind them and put asphalt over the openings to complete the restoration efforts – and when driving down the street this work is very noticeable as it lacks contiguity with the rest of the pavement.

In 2021 the City and National Grid piloted a new program to Upstate New York on Mohawk and Seneca Streets and continued this into 2022 with additional agreements for work on Park Avenue, Bridge Avenue, Leversee, Platt, Watervliet, Eagle, and Second Streets.

This year and to this point, the city has provided estimates for the following streets which are grouped into three projects:

- Project 1: Columbia and James;
- Project 2: Imperial Avenue; and
- Project 3: Grant and Vine Streets.

In total, National Grid has accepted estimates that amount to the city receiving \$83,777.74 for the subject restoration work. The restoration was estimated for the trench lines themselves and does not take into account the newly passed utility excavation legislation as these permits were pulled before the legislation was passed. Additional National Grid work this year will take into account the restoration

scope as dictated by the new legislation. If these agreements are approved by the Common Council in addition to the roads being approved to be paved, then the City will be able to accept these funds and put it towards a complete restoration of the streets rather than having National Grid patch their work ahead of our anticipated paving of these streets – all of which were on the 2023 approved paving list.

Please review the attached estimates and proposed agreement and reach out should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Seman-Graves".

Joseph Seman-Graves
City Planner

City of Cohoes
97 Mohawk Street
Cohoes, New York 12047
518-233-2130



Invoice

Bill to: Michael Goodman
National Grid
Manager Gas Field Operations
1125 Broadway
Albany, New York 12204

Estimate #: NG2023-02
Date: 7/18/2023

Item Description	Price	Quantity	Tax	Total
Milling and Paving Services for Imperial Avenue- WO#30732855 Field measurements on Imperial Avenue were taken by NG representatives and resulted in 6,651.0 square feet of disturbed area.	\$3.52	6,651.0	\$0.00	\$23,411.52

Notes:

Subtotal	\$23,411.52
Tax	\$0.00
Balance Due	\$23,411.52

City of Cohoes
97 Mohawk Street
Cohoes, New York 12047
518-233-2130



Invoice

Bill to: Michael Goodman
National Grid
Manager Gas Field Operations
1125 Broadway
Albany, New York 12204

Estimate #: NG2023-03
Date: 7/18/2023

Item Description	Price	Quantity	Tax	Total
Milling and Paving Services for James and Columbia Streets- WO#30754796 Field measurements on James and Columbia were taken by NG representatives and resulted in 10,919.00 square feet of disturbed area.	\$3.38	10,919.00	\$0.00	\$36,906.22

Notes:

Subtotal	\$36,906.22
Tax	\$0.00
Balance Due	\$36,906.22

City of Cohoes
97 Mohawk Street
Cohoes, New York 12047
518-233-2130



Invoice

Bill to: Michael Goodman
National Grid
Manager Gas Field Operations
1125 Broadway
Albany, New York 12204

Invoice #: NG2023-01
Date: 7/18/2023

Item Description	Price	Quantity	Tax	Total
Milling and Paving Services for Grant and Vine Streets – WO#30672228 Field measurements by NG on Grant and Vine Streets resulted in 6,665.0 square feet of disturbed area.	\$3.52	6,665.0	\$0.00	\$23,460.0

Notes:

Subtotal	\$23,460.0
Tax	\$0.00
Balance Due	\$23,460.0

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**CITY OF COHOES
SEQR RESOLUTION**

A meeting of the Common Council of the City of Cohoes, Albany County, New York (the "City") was convened in public session at the City Hall, 97 Mohawk Street, Cohoes, New York on July 25, 2023 at 7:00 o'clock p.m., local time.

The meeting was called to order by _____ and, upon roll being called, the following members were:

PRESENT:

William McCarthy	President
Justin Alesio	Vice President
Adam Biggs	Councilmember
Christopher Briggs	Councilmember
Donald Russell	Councilmember
William Smith	Councilmember

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____, to wit;

RESOLUTION NO. 39 FOR THE YEAR 2023

RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE VARIOUS CAPITAL IMPROVEMENT PROJECTS TO VARIOUS CITY FACILITIES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

WHEREAS, the City desires to undertake various capital improvement projects to various City facilities (collectively, hereinafter referred to as the “Project”), including, but not limited to the following:

(A) Acquisition of the premises known as the Cohoes Saving Bank Building located at 75 Remsen Street, Cohoes, New York (hereinafter referred to as the “Building Acquisition Project”).

(B) Undertaking of various capital improvements to City parks playground facilities, including but not limited to, the improvement and embellishment to such facilities, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto (hereinafter referred to as the “Playground Equipment Project”); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), the City desires to determine whether the Project may have a “significant effect on the environment” (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the City in determining whether the Building Acquisition Project may have a significant effect upon the environment, the City Planner has prepared and submitted to the City the following materials:

(A) an environmental assessment form (the “EAF”), and

(B) a memorandum prepared by the City Planner making certain recommendations regarding the potential environmental impacts of the Building Acquisition Project (the “Building Project Memo”),

copies of each were presented to and reviewed by the City at this meeting and copies of which are on file at the office of the City; and

WHEREAS, to aid the City in determining whether the Playground Equipment Project may have a significant effect upon the environment, the City Planner has prepared and submitted to the City a memorandum making certain recommendations regarding the potential environmental impacts of the Playground Equipment Project (the “Playground Equipment Memo”), a copy of which was presented to and reviewed by the City at this meeting and copies of which are on file at the office of the City; and

WHEREAS, pursuant to the Regulations, the City has examined the following:

(A) the EAF and the Building Project Memo in order to make an initial determination as to the potential environmental significance of the Building Acquisition Project, and

(B) the Playground Equipment Memo in order to make an initial determination as to the potential environmental significance of the Playground Equipment Project; and

WHEREAS, the Building Acquisition Project does not appear to constitute a “Type I Action” (as said quoted term is defined in the Regulations), and therefore coordinated review and notification is optional with respect to the actions contemplated by the City with respect to the Building Acquisition Project; and

WHEREAS, the Playground Equipment Project appears to constitute a “Type II action” (as said quoted is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Playground Equipment Project; and

WHEREAS, the City desires to make its initial determination of significance with respect to the Project and has determined not to undertake coordinated review and notification procedures with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL AS FOLLOWS:

(1) Based upon an examination of the EAF, the Building Project Memo and the Playground Equipment Memo, the recommendations of the City Planner, and based further upon the City’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the City and the City Planner have deemed appropriate, the City makes the following findings with respect to the Project:

(A)(1) The Building Acquisition Project consists of the acquisition of the Cohoes Saving Bank building to be converted to the Cohoes Public Library, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto; and

(2) No potentially significant impacts on the environment are noted in the EAF and the Building Project Memo, none were described or noted by the City Planner and none are known to the City; and

(B)(1) The Playground Equipment Project consists of the undertaking of various capital improvements to City Parks, including but not limited to, the improvement and embellishment to such parks, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto; and

(2) No potentially significant impacts on the environment are noted in the Playground Equipment Memo, none were described or noted by the City Planner and none are known to the City.

(2) Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the City makes the following findings and determinations with respect to the Project:

(A)(1) The Building Acquisition Project constitutes an “unlisted action” (as said quoted term is defined in the Regulations) and therefore coordinated review and notification of other involved agencies is strictly optional. The City has determined not to seek lead agency status with respect to the Building Acquisition Project or to undertake coordinated review and notification procedures with respect to the Building Acquisition Project; and

(2) The Building Acquisition Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment. Therefore, the City hereby determines that the Building Acquisition Project will not have a significant effect on the environment, and the City will not require the preparation of an environmental impact statement with respect to the Building Acquisition Project; and

(3) As a consequence of the foregoing, the City has decided to prepare a negative declaration with respect to the Building Acquisition Project.

(B) The Playground Equipment Project constitutes a “Type II action” (as said quoted term is defined in the Regulations) pursuant to 6 NYCRR 617.5(c), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the City has no further responsibilities under SEQRA with respect to the Playground Equipment Project.

(3) The City Clerk is hereby directed to file a copy of the negative declaration with respect to the Building Acquisition Project in City Hall.

(4) This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

William McCarthy	VOTING	_____
Justin Alesio	VOTING	_____
Adam Biggs	VOTING	_____
Christopher Briggs	VOTING	_____
Donald Russell	VOTING	_____
William Smith	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned Clerk of the City of Cohoes, Albany County, New York (the "City"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Common Council, including the Resolution contained therein, held on July 25, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Common Council had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Common Council present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this ____ day of July, 2023.

(SEAL)

City Clerk

Approved as to form this 25th day of July, 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 July, 2023.

Clerk

President

I hereby approve the foregoing Resolution of the Common Council.

Date

William T. Keeler
Mayor of the City of Cohoes