

# SCHENECTADY CITY COUNCIL COMMITTEE AGENDA

for  
Tuesday, January 19, 2016  
5:30 p.m.  
Room 110

*The Council President reserves the right to add or delete any agenda item prior to Committee Meeting.*

## **SURA Meeting**

### **Finance**

- |   |   |                  |
|---|---|------------------|
| 1 | 2015 Budget Re-Appropriation - VanGuysling Ave. | Deborah DeGenova |
| 2 | 2015 Budget Re-Appropriation - Fire Trucks      | Deborah DeGenova |

### **City Development & Planning**

- |   |   |                  |
|---|---|------------------|
| 1 | Ceremonial Resolution - Tom Compoli - Retirement                              | John Polimeni    |
| 2 | Ceremonial Resolution - Philip Dodge - Retirement                             | Chris Wallin     |
| 3 | Ceremonial Resolution - Tri-City India Association – Republic Day Celebration | John Mootooveren |
| 4 | Property Transfer from SURA to City of Schenectady                            | Steve Strichman  |
| 5 | Final Review - Property Assessed Clean Energy Finance                         | David Fronk      |
| 6 | Amendment to Option Contract for 305 Broadway (Exec)                          | Carl Falotico    |

### **Government Operations**

- |   |                                    |               |
|---|------------------------------------|---------------|
| 1 | Policy Approval - Personnel        | Carl Falotico |
| 2 | Policy Approval - Purchasing       | Carl Falotico |
| 3 | Policy Approval - Fleet Efficiency | Carl Falotico |

### **Administrative Efficiency**

- |   |                             |               |
|---|-----------------------------|---------------|
| 1 | Disc - Employee Recognition | John Polimeni |
| 2 | Disc - Tax Bill             | John Polimeni |

### **Public Service & Utilities**

- |   |  |               |
|---|--|---------------|
| 1 | Ceremonial Resolution - City Recycling Crew as 1st Responders        | John Polimeni |
| 2 | Ceremonial Resolution - City Waste Collection Crew as 1st Responders | John Polimeni |

### **Claims**

- |   |   |               |
|---|---|---------------|
| 1 | Hatcher as Guardian of Young v. City of Schenectady | Carl Falotico |
| 2 | State Farm a/s/o McKearn Property Damage Claim      | Carl Falotico |

Tuesday, January 19, 2016

CITY OF SCHENECTADY  
LEGISLATIVE REQUEST FORM

COMMITTEE ASSIGNMENT: FINANCE

DATE: JANUARY 19, 2016

TO: CITY COUNCIL

FROM: DEBORAH DEGENOVA

SUBJECT: 2015 BUDGET RE-APPROPRIATION

TO BE PLACED ON COUNCIL AGENDA OF JANUARY 25, 2016

**Background Information:**

When the 2015 budget was developed, the clean-up of certain property on/near VanGuysling Avenue that is being managed by Metroplex was budgeted for in the General Fund as it was anticipated that the clean-up would be completed in 2015. The project was not completed in 2015, therefore, since the activity will cross fiscal years, it is appropriate to amend the 2015 General Fund Budget to move all activity recorded in the General Fund to the City's Special Grant Fund.

The City's share of the project that exists in the 2015 General Fund Budget is \$90,000 (\$900,000 expense in A1989-404 less \$810,000 revenue in A2770). The revenue will be coming from the Department of Environmental Conservation to the City as reimbursement for expenses incurred (90% of the overall expense).

**Evaluation/Analysis:**

If the requested Budget Re-appropriation below is authorized, to complete the project's move to the City's Special Grant Fund, the remaining \$90,000 budget authority in the A1989-404 expense line that is shown below as the Revised Budget will support the inter-fund transfer of General Fund monies to the City's Special Grant Fund. Additionally, all expense activity that has occurred, \$104,210.97 that was recorded in A1989-404, will be moved to the City's Special Grant Fund.

<u>Account #</u>	<u>Description</u>	<b>2015</b>		<b>Available</b>
		<b>Adopted</b>	<b>Revised</b>	
		<b><u>Budget</u></b>	<b><u>Budget</u></b>	<b><u>Budget*</u></b>
<b><u>Revenue</u></b>				
A2770	Miscellaneous Revenue	861,000	51,000	810,000
<b><u>Expense</u></b>				
A1989-404	Unallocated-Fee for Services	900,000	90,000	810,000

\*Positive Numbers reflect a decrease in a budget line. Negative numbers reflect an increase in a budget line.

**Recommendation:**

I respectfully recommend that the City Council accept this 2015 budget re-appropriation.

LEGISLATION WILL BE PREPARED BY Law Department

CITY OF SCHENECTADY  
LEGISLATIVE REQUEST FORM

COMMITTEE ASSIGNMENT: FINANCE

DATE: JANUARY 19, 2016

TO: CITY COUNCIL

FROM: DEBORAH DEGENOVA

SUBJECT: 2015 BUDGET RE-APPROPRIATION

TO BE PLACED ON COUNCIL AGENDA OF JANUARY 25, 2016

**Background Information:**

In 2015, the City was able to execute a sale of an aerial truck that was previously leased. The sale produced \$320,000 of revenue in October 2015. This revenue was appropriately recorded in A2655B – Sale of Fire Trucks. The A2655B revenue line did not have a budget in 2015 as when the 2015 Budget was formulated it contemplated that the disposition of the aerial truck would most likely result in the direct reduction of the City’s leasing expenditures.

**Evaluation/Analysis:**

The requested 2015 Budget Re-appropriation below creates a budget in the A2655B-Sale of Fire Trucks revenue line and increases budgets in the City’s Installment Debt-Principal & Interest expense lines by an amount that is equal to expense budget shortfalls. Approval of this budget re-allocation has no effect on the actual revenue earned or expenses incurred by the City.

<u>Account #</u>	<u>Description</u>	<u>2015 Adopted Budget</u>	<u>Revised Budget</u>	<u>Available Budget*</u>
<b><u>Revenue</u></b>				
A2655B	Sale of Fire Truck	0	228,411	(228,411)
<b><u>Expense</u></b>				
A9785-600	Installment Debt-Principal	1,069,473	1,232,874	(163,401)
A9785-700	Installment Debt - Interest	99,680	164,690	(65,010)

\*Positive Numbers reflect a decrease in a budget line. Negative numbers reflect an increase in a budget line.

**Recommendation:**

I respectfully recommend that the City Council accept this 2015 budget re-appropriation.

LEGISLATION WILL BE PREPARED BY Law Department

CDP-1



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** City Development & Planning

**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Polimeni

**SUBJECT:** Ceremonial Resolution – Tom Compoli - Retirement

**Background Information:**

Ceremonial Resolution on retirement

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY** \_\_\_\_\_

CRW-2



# Legislative Request Form

## DEPARTMENT OF ENGINEERING

CHRISTOPHER WALLIN, P.E., CITY ENGINEER

COMMITTEE ASSIGNMENT:

DATE: January 19, 2016

TO: City Council

FROM: Christopher R. Wallin, P.E., City Engineer 

SUBJECT: Ceremonial Resolution Recognizing Philip F. Dodge, Jr. Civil Engineer after 23 Years of Service for the City of Schenectady

TO BE PLACED ON COUNCIL AGENDA OF: January 25, 2016

Background Information:

Evaluation/Analysis:

Recommendation:

LEGISLATION WILL BE PREPARED BY: Engineering

CRW: cd



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** City Development & Planning  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Mootooveren

**SUBJECT:** Ceremonial Resolution – Tri-City India Association – Republic Day  
Celebration

**Background Information:**

Ceremonial Resolution

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**

## Chad Putman

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**From:** John Mootooveren  
**Sent:** Wednesday, January 13, 2016 12:20 PM  
**To:** Chad Putman; Chuck Thorne; Leesa Perazzo; Ed Kosiur  
**Subject:** RE: Leg Conf Reminder - Thurs, Jan 14

Chad/Chuck/Leesa,  
Please add..

1. Ceremonial resolution recognizing TriCity India Association annual republic day celebration, January 30th, 2016.

Information for resolution to follow-up.

Thanks

John Mootooveren  
Schenectady City Council

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**From:** Chad Putman  
**Sent:** Wednesday, January 13, 2016 11:00 AM  
**To:** Anthony R. Ferrari; Brian Kilcullen; Carl G. Falotico; Christine Primiano; Christopher R. Wallin; Ed Kosiur; John Ferrari; John Mootooveren; John Polimeni; John Polimeni; Leesa Perazzo; Leesa Perazzo (Leesap@nycap.rr.com); Marion Porterfield (marion.porterfield@gmail.com); Marion Porterfield; Vincent Riggi; Vincent Riggi; Colleen E. Davignon; Constance Hall; David Fronk; Deborah W. DeGenova; Denise Durling; Ed Waterfield; Eric W. Shilling; Gary McCarthy; Jack Falvo; Jaclyn L. Mancini; Jeremy Howard; John Coluccio; Krystina K. Smith; Linda Sweet; Lisa A. Adamyk; Mary E. OBrien; Maryanne McCutcheon; Matthew Smith; Megan Heins; Michael Seber; Miriam Cajuste; Molly MacElroy; Patrick Leguire; Paul Lafond; Phyllis Gaumond; Rachael Ward; Raymond Senecal; Richard McIlravy-Ackert; Ryan Bailey; Samanta R. Mykoo; Steve Strichman; Tiffany White; Wayne Bennett  
**Cc:** Chad Putman; Chuck Thorne  
**Subject:** Leg Conf Reminder - Thurs, Jan 14

Good day,

The next Legislative Conference will be held on Thursday, January 14 at 1:30 pm in the Finance Conference room.

To appear on the Committee Agenda complete Legislative Requests are required in writing at or before the Legislative Conference Meeting.

Chad Putman,  
Deputy City Clerk

(p) 518-382-5089  
Schenectady City Hall, Room 107  
105 Jay Street  
Schenectady, NY 12304

CDP-4

CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM

COMMITTEE ASSIGNMENT: *City Dev. & Planning* DATE: January 19, 2016

TO: City Council, SURA Board  
FROM: Steven Strichman  
SUBJECT: Property transfer from SURA to City of Schenectady

TO BE PLACED ON  
SURA AGENDA OF: January 19, 2016  
CDP\_COUNCIL AGENDA OF: January 19, 25 2016

**Background Information:**

The City by resolution 2015-319 authorized the sale of 2418 Campbell Avenue for \$24,000. SURA is the current owner and they will authorize transfer of this property to the City on 1/19/16 by resolution 2016-01.

Recommendation:

1. Schenectady Urban Renewal Agency Authorizes transfer of property to City of Schenectady
2. City Of Schenectady Accepts property from Schenectady Urban Renewal Agency
3. City proceeds with previously negotiated and authorized sale of property.

**RESOLUTION OF THE  
SCHENECTADY URBAN RENEWAL AGENCY  
SCHENECTADY, NEW YORK  
JANUARY 19, 2016**

**TRANSFER 2418 CAMPBELL AVEUNE  
TO CITY OF SCHENECTADY  
RESOLUTION NO. 2016-01**

**WHEREAS** the City of Schenectady transferred 2418 Campbell Avenue to the Schenectady Urban Renewal Agency by Resolution 2015-52 to deal with the properties in a manner that is most beneficial to the City of Schenectady and consistent with the City of Schenectady Comprehensive Plan; and

**WHEREAS** a deal has been structured that will allow the city to this property in a manner that that is in compliance with the Urban Renewal Plan

**NOW, BE IT THEREFORE RESOLVED** that SURA authorizes the transfer of 2418 Campbell Avenue back to the City of Schenectady.

Approved on January 19, 2016

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Gary R. McCarthy, Chair  
Schenectady Urban Renewal Agency

Member	Aye	Nay	Abstain	Absent
McCarthy				
Perazzo				
Kosiur				
Mootooveren				
Polimeni				
Porterfield				
Riggi				
Ferarri				

CS-P-5



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** City Development & Planning

**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Mootoveren

**SUBJECT:** Final Review – Property Assessed Clean Energy Finance

**Background Information:**

Public Hearing was held at City Council on 12/28/15 – (2) speakers, plus written submission attached.

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY** \_\_\_\_\_

## Chad Putman

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**From:** Gary McCarthy  
**Sent:** Tuesday, January 12, 2016 12:01 PM  
**To:** Chuck Thorne; Chad Putman  
**Cc:** David Fronk; Eric Shannon  
**Subject:** Fwd: PACE Energy Efficiency Funding Program

Hi

Can this be added to the record for Pace Funding?

Thanks.

Gary McCarthy's iPhone

Begin forwarded message:

**From:** Nancy Peterson <[gs.uuss06@gmail.com](mailto:gs.uuss06@gmail.com)>  
**Date:** January 12, 2016 at 11:56:43 AM EST  
**To:** <[GMcCarthy@schenectadyny.gov](mailto:GMcCarthy@schenectadyny.gov)>  
**Subject:** PACE Energy Efficiency Funding Program

Dear Mayor MacCarthy:

I came to the City Council meeting last night because I wanted to know more about the PACE Energy Efficiency Funding Program. I didn't sign up to speak; I figured there would be plenty of people who would have a lot to say. Unfortunately there were only two, and both were opposed.

I'm sending this letter because I think the program is worth considering. Some of the sources of revenue for energy efficiency projects seem to be drying up, and this program could help maintain public interest in energy efficiency programs.

I'm working on the Energy Efficiency Committee at one of the local churches. Our building needs lots of energy efficiency measures, and we're just in the beginning stages of addressing these problems. Other churches probably have similar problems, with buildings that are large and were constructed before energy efficiency was on the public radar.

I hope the members of the City Council had an opportunity to speak at more length with Elyssa Rothe, the presenter from Energize New York. Her introduction of the program was very brief.

I've spent some time looking at the websites, trying to learn more about it. I was disappointed that there was so little public interest shown.

Thank you for considering this program.

Nancy J Peterson

1147 Keyes Avenue

Schenectady, NY 12309

518-374-5810

PH

**ENERGY IMPROVEMENT CORPORATION  
MUNICIPAL AGREEMENT**

This Agreement made as of this \_\_\_ day of \_\_\_\_\_, 20\_\_ (the "Agreement"), by and between the \_\_\_\_\_ (the "Municipality") and the Energy Improvement Corporation ("EIC") (both the Municipality and EIC may hereinafter be referred to individually as a "Party" and collectively as the "Parties"), sets forth the duties and obligations of each Party in connection with the Municipality's participation in the Energize New York Benefit Finance Program (the "Program").

WHEREAS, EIC is a local development corporation duly formed under Section 1411 of the Not-For-Profit Corporation Law of the State of New York, for the purpose of promoting, facilitating and financing energy audits and renewable energy system feasibility studies, energy efficiency improvements and alternative or renewable energy generating systems (as such terms are defined in Section 119-ff of the General Municipal Law of the State of New York) (collectively, the "Energy Improvements") on properties within its Participating Municipalities (as defined below), thereby promoting the public good by reducing greenhouse gas emissions, mitigating the effect of global climate change and lessening the burdens of government; and

WHEREAS, Participating Municipalities are those municipalities within the State of New York that have established by local law, pursuant to Article 5-L of the General Municipal Law of the State of New York, a sustainable energy loan program for the issuance of financing to the owners of real property located within the Participating Municipality to finance Energy Improvements, and have authorized EIC to act on behalf of the Participating Municipality to carry out the Program through, among other things, the issuance of financing to property owners within such Participating Municipality, and have met the minimum criteria established by EIC to admit new Participating Municipalities; and

WHEREAS, the Municipality adopted Local Law \_\_\_ on \_\_\_\_\_, 20\_\_, pursuant to Article 5-L of the General Municipal Law of the State of New York, which Local Law also authorized EIC to act on its behalf in carrying out its Program;

Now, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Parties agree as follows:

**I. Duties of EIC**

It is understood by the Parties that EIC will be responsible for the performance of the following duties:

2/21/13

- a) Receive and review applications submitted by property owners within the Municipality for financing of Energy Improvements (“Property Owner(s)”), and approve or disapprove such applications in accordance with underwriting procedures and requirements established by EIC.
- b) Review the applications, energy assessments and scopes of work prepared for and by the Property Owners to establish the amount of financings to be approved pursuant to the requirements of the Program.
- c) Execute finance agreements (the “Finance Agreement”) by and between EIC (on behalf of the Municipality) and the Property Owners for financing of Energy Improvements, which shall set forth the terms and conditions for the disbursement and repayment of financing and the duties and obligations of each Property Owner and EIC with respect to the acquisition, construction and installation of Energy Improvements (upon execution of the Finance Agreement by the Property Owner and EIC, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”). Copies of all executed Finance Agreements for all Benefited Properties within the Municipality shall be provided to the Municipality by EIC upon execution.
- d) Receive and review the certificates of completion submitted by the Property Owners of Benefited Properties (or the contractor hired by the owner of a Benefited Property) following installation or construction of Energy Improvements on such Benefited Property, and disburse funds to the Property Owner of the Benefited Property or his/her/its agent upon approval of such certificate in accordance with the terms of the Finance Agreement and the Program.
- e) Deliver to the Municipality an annual report (the “Annual Report”) three months prior to when Municipal Taxes are due which shall contain information related to each Benefited Property within the Municipality through the end of the immediately preceding calendar year, including:
  - i. A list of each newly approved Benefited Property for which the Property Owner or previous Property Owner of the Benefited Property executed a Finance Agreement within the annual time period covered by such report (for which a charge shall be added by the Municipality to its tax rolls in accordance with Paragraph 2b below). All Benefited Properties shall be identified in the Annual Report by address and Tax Map Identification (i.e. section, block and lot);
  - ii. A list of each existing Benefited Property for which the Property Owner or previous Property Owner of such Benefited Property executed a Finance Agreement. All Benefited Properties shall be

identified in the Annual Report by address and Tax Map Identification (i.e. section, block and lot);

- iii. A list of each Benefited Property within the Municipality where all obligations under the Finance Agreement have been satisfied or paid in full during the calendar year including the satisfaction date and a copy of the notice of satisfaction;
  - iv. For each non-satisfied Benefited Property (including each newly approved Benefited Property):
    - a. the date of the Financing Agreement,
    - b. the notional amount of the financing,
    - c. the total principal balance and accrued interest outstanding,
    - d. the annual payment due to EIC (which shall include principal and accrued interest) associated with such Benefited Property (including the amount of accrued interest on the initial payment, if different);
  - v. the total annual payment due to EIC from all Benefited Properties in the Participating Municipality (which shall include principal and accrued interest), which shall be paid by the Municipality within thirty (30) days of the date upon which payment is due to the Municipality as part of the municipal tax bill in accordance with Paragraph 2(c) and the balance of any delinquent charge payment reported by the Municipality during the term of the Financing Agreement pursuant to Paragraph 2(d) and;
  - vi. All other information EIC may deem to be relevant to each Benefited Property within the Municipality.
- f) Create an account (the "EIC Trust Account") held by a trustee that will accept payments from the Municipality made in accordance with Paragraph 2(d) below, and create a separate account (the "EIC Administrative Fee Account") to receive the transfer of those funds deposited within the EIC Trust Account that constitute payment of EIC administrative fees;
- g) Provide customer service by telephone to the Municipality during the hours of 9:00 a.m. through 5:00 p.m. Monday through Friday, Eastern Standard Time, excluding state and federal holidays;
- 
- h) Upon EIC's receipt of payment in full under a particular Finance Agreement, send a letter of satisfaction by email to the Municipality notifying it that such Property Owner or subsequent owner of the Benefited Property has satisfied his/her/its obligations under the terms of the Financing Agreement;

## 2. Duties of the Municipality

It is understood by the Parties that the Municipality will be responsible for the performance of the following duties:

- a) Maintain copies received from EIC of each Finance Agreement for a Benefited Property throughout the term of the Finance Agreement relating to such Benefited Property, which shall be maintained until all obligations of the owner of such Benefited Property that are set forth in the Finance Agreement have been satisfied.
- b) Within thirty (30) days of receipt of the Annual Report, add a charge to its tax rolls for each newly approved Benefited Property listed therein, and include such charge in the next ensuing tax levy so that such charge shall be included on and due in the same manner and at the same time and in the same installments as the municipal taxes on real property are due within the Municipality and shall become delinquent at the same times, shall bear the same penalties and interest after delinquency, and shall be subject to the same provisions for redemption and sale as the general municipal taxes on real property of the Municipality.
- c) Within thirty (30) days of the due date of the municipal taxes, including the charge pursuant to a Finance Agreement, remit payment to the EIC Trust Account in the amount equaling the total annual payments due to EIC from each Benefited Property within the Municipality, regardless of whether the Municipality actually has received such payments from the owner of the Benefited Property. Failure to deliver payments to EIC would be considered an event of default hereunder.
- d) Deliver to EIC an annual delinquency report (the "Delinquency Report") no later than (90) days after the due date for the municipal taxes, including the charge, which shall: (i) list each Benefited Property that is delinquent in charge payments owed for such Benefited Property, (ii) provide the amount owed to the Municipality by the owner of such Benefited Property (including penalties and interest on delinquent charge payments), and (iii) outline the steps taken or to be taken and progress made in recovering delinquent charge payments from the owner of such Benefited Property.
- e) Make all reasonable efforts to assist EIC in carrying out the Program within the Municipality.

## 3. Program Modification

The Municipality may modify the Program by limiting the types of properties which may receive financing for Energy Improvements and/or the amount of financing available within the Municipality. The Municipality shall provide written notice to

EIC of such proposed modification. The proposed modification shall only become effective upon written approval from EIC provided to the Municipality, which shall not be unreasonably withheld. Such approval shall have no effect on the duties and obligations owed by each Party hereto in connection with this Agreement and any Benefited Property for which a Finance Agreement was executed prior thereto.

4. Non – Payment

- a) Failure of a Participating Municipality to deliver payments to EIC within thirty (30) days of when due shall be considered an event of default and EIC shall be entitled to pursue any one or more of the remedies set forth below.
- b) No Participating Municipality shall be responsible for the deficient payment of another Participating Municipality.

5. Terms of Membership

The Municipality understands and agrees that membership in EIC is at the discretion of the Board of Directors of EIC and is conditional upon satisfying the membership criteria established by the EIC Board, as may be amended from time to time at the sole discretion of the Board, as well as compliance with the terms of the By-Laws of EIC. If a Participating Municipality's bond credit rating drops below "A" as rated by Standard and Poors and/or "A2" as rated by Moodys and/or "A" by Fitch Ratings Service, EIC will no longer provide financings to Properties within such Municipality.

6.

Reserve Funds and Permanent Loss

- (a) EIC shall maintain one or more reserve funds (each a "Reserve Fund", collectively, the "Reserve Funds") to protect and compensate EIC, Participating Municipalities, lenders of funds to EIC, and other third parties approved by EIC against potential losses, including without limitation losses suffered by a Participating Municipality resulting from defaulted charge payments only in the event of a Permanent Loss (defined below) with respect to a Benefited Property. Certain Reserve Funds may be restricted in that they may only be used in conjunction with financings made to properties located within one or more designated Participating Municipalities. All Reserve Funds will be held at a bank or trust company located and authorized to do business in NYS. Reserve Funds will be invested in accordance with the investment guidelines approved by EIC (the "Investment Guidelines") as may be amended from time to time.
- (b) EIC reserves the right to refuse to make a financing to a property located within a Member Municipality in the event EIC determines, in its sole discretion, that there are inadequate reserve funds.
- (c) A loss shall not be deemed a permanent loss until the Participating Municipality has exhausted all remedies at law in an effort to collect the defaulted charge payments, including but not limited to the redemption and sale of the Benefited

Property where the proceeds are not sufficient to recover all amounts paid by the Municipality to EIC after the proceeds of such sale have been proportionately applied to all amounts owed to the Municipality at the time of such sale as a result of the non-payment of taxes ("Permanent Loss"). In order to collect from the Reserve Fund in the event of a Permanent Loss, the Municipality must provide EIC with all documentation as may be reasonably requested by EIC to document such Permanent Loss and must not be in default to EIC, including having made all payments to EIC when due.

#### 7. Remedies Upon Default

Should the Municipality default in any of its obligations hereunder, including but not limited to failure to make payments to EIC as required hereunder, EIC shall be entitled to any remedy it may have at law and as set forth below. EIC may utilize any one or all of these remedies at EIC's sole discretion.

- a) If the Municipality fails to make a required payment to EIC and the Municipality collects penalties or interest from the Property Owner for late payment, the Municipality shall pay to EIC all such penalties or interest attributable to the charge collected by the Municipality on behalf of EIC.
- b) EIC shall have the right to discontinue providing any new financings to Properties located within the Municipality.
- c) EIC may suspend the Municipality's membership in EIC.

#### 8. Formation; Authority

Each Party represents and warrants to the other that it has complied with all laws and regulations concerning its organization, its existence and the transaction of its business and that all necessary steps have been taken to authorize it to execute, deliver and perform its respective obligations under this Agreement, and no consent or approval of any third party is required for either Party's execution of this Agreement or the performance of its obligations contained herein. The individual executing this Agreement on behalf of each Party has been and is duly authorized to bind his/her respective Party.

#### 9 No Violation or Litigation

The performance by each Party of its respective obligations contained in this Agreement will not and do not conflict with or result in a breach of or a default under any of the terms or provisions of any other agreement, contract, covenant or security instrument or any law, regulation or ordinance by which the Party is bound. There is no litigation, action, proceeding, investigation or other dispute pending or threatened against either Party which may impair its ability to perform its respective

duties and obligations hereunder.

#### 10. Notices

Any and all notices, demands, or other communications required or desired to be given hereunder by either Party shall be delivered electronically and in writing by certified mail, return receipt requested as follows:

EIC:  
Thomas Bregman  
Energy Improvement Corporation  
321 Bedford Rd,  
Bedford Hills, NY 10536

Joseph Del Sindaco  
Energy Improvement Corporation  
321 Bedford Rd,  
Bedford Hills, NY 10536

Attention: Tom Bregman  
Joseph Del Sindaco

E-mail: tom@energizeny.org  
Treasurer@energizeny.org

With a copy to:

James Staudt, Esq.  
McCullough, Goldberger & Staudt, LLP  
1311 Mamaroneck Avenue, Suite 340  
White Plains, N.Y. 10605  
E-mail: jstaudt@mgslawyers.com

MUNICIPALITY: \_\_\_\_\_

With a copy to:

Either Party hereto may change its address for purposes of this paragraph by providing written notice to the other party in the manner provided above.

11. Governing Law.

This Agreement shall be construed and governed in accordance with the laws of the State of New York. Any legal action to be brought under this Agreement must be instituted in State or Federal Courts having jurisdiction located in Westchester County, New York.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the day and year first written above. The Parties hereto agree that facsimile signatures shall be as effective as if originals.

Date: \_\_\_\_\_, 20\_\_

Energy Improvement Corporation

By: \_\_\_\_\_

PRINT NAME:

\_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_

Municipality Name: \_\_\_\_\_

By: \_\_\_\_\_

PRINT NAME:

\_\_\_\_\_

LOCAL LAW NO.     – 2012

**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN  
PROGRAM IN THE \_\_\_\_\_**

Be it enacted by the \_\_\_\_\_ of the County of \_\_\_\_\_ as follows:

**Section 1.** The Code of the \_\_\_\_\_ is hereby amended by adding a new Chapter \_\_\_\_\_, entitled “Energize NY Benefit Financing Program,” to read as follows:

**ARTICLE I**

**§1. Legislative findings, intent and purpose, authority.**

- A. It is the policy of both the \_\_\_\_\_ and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The \_\_\_\_\_ finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewable energy systems and energy efficiency measures. This chapter establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the \_\_\_\_\_, to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this chapter and fulfilling an important public purpose.
- B. The \_\_\_\_\_ is authorized to implement this Energize NY Benefit Financing Program pursuant to Article 5-L of the New York General Municipal Law.
- C. This chapter shall be known and may be cited as the “Energize NY Benefit Financing Program Law of the \_\_\_\_\_”.

**§2. Definitions**

For purposes of this chapter, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Authority** – The New York State Energy Research and Development Authority, as defined by subdivision two of section eighteen hundred fifty-one of the public authorities law, or its successor.

**EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section fourteen hundred eleven of the Not-For-Profit Corporation Law, authorized hereby on behalf of the \_\_\_\_\_ to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this chapter) and providing for repayment of such funds from monies collected by the \_\_\_\_\_ tax collector as a charge to be levied on the real property and collected in the same manner and same form as the \_\_\_\_\_ taxes.

**Energy Audit** – A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

**Energy Efficiency Improvement** – Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation, and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority, not including lighting measures or household appliances that are not permanently fixed to real property.

**Qualified Property Owner** – An owner of residential or commercial real property located within the boundaries of the \_\_\_\_\_ that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this chapter.

**Renewable Energy System** – An energy generating system for the generation of electric or thermal energy, to be used primarily at such property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

**Renewable Energy System Feasibility Study** – A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

### **§3. Establishment of an Energize NY Benefit Financing Program**

A. An Energize NY Benefit Financing Program is hereby established by the \_\_\_\_\_, whereby EIC acting on its behalf, may provide funds to

Qualified Property Owners in accordance with the procedures set forth under this chapter, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.

- B. The funds provided shall not exceed the lesser of ten percent of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

**§4. Procedures for eligibility**

- A. Any property owner in the \_\_\_\_\_ may submit application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the \_\_\_\_\_ offices.
- B. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the \_\_\_\_\_, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in subsection A of section 5 of this chapter. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC acting on behalf of the \_\_\_\_\_, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under section 6 of this chapter; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

**§5. Application criteria**

- A. Upon the submission of an application, EIC acting on behalf of the \_\_\_\_\_, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:
  - 1. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective by the Authority;
  - 2. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems will generate an estimated annual cost savings greater than the annual charge payments;

3. Sufficient funds are available to provide to the property owner;
4. The property owner is current in payments on any existing mortgage;
5. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three years; and
6. Such additional criteria, not inconsistent with the criteria set forth above, as the \_\_\_\_\_, or EIC acting on its behalf, may set from time to time.

**§6. Opt-in, Energize Finance Agreement**

- A. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an Energize Finance Agreement made by and between the Qualified Property Owner and EIC, acting on the behalf of the \_\_\_\_\_.
- B. Upon execution of the Energize Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of \_\_\_\_\_, for the acquisition, construction, and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of section 7 of this chapter have been met.
- C. The Energize Finance Agreement shall include the terms and conditions of repayment set forth under section 8 of this chapter.

**§7. Energy audit, renewable energy system feasibility study**

- A. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 2.
- B. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 2.
- C. The cost of such Energy Audit and/or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

**§8. Terms and conditions of repayment**

The Energize Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the \_\_\_\_\_, shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on

their \_\_\_\_\_ tax bill and shall be levied and collected at the same time and in the same manner as \_\_\_\_\_ property taxes, provided that such charge shall be separately listed on the tax bill. The \_\_\_\_\_, shall make payment to EIC or its designee in the amount of all such separately listed charges within 30 days of the \_\_\_\_\_ tax due date.

- B. The term of such repayment shall be determined at the time the Energize Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by EIC acting on behalf of the \_\_\_\_\_.
- C. The rate of interest for the charge shall be fixed by EIC acting on behalf of the \_\_\_\_\_ at the time the Energize Finance Agreement is executed by the property owner and EIC.
- D. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

**§9. Verification and report**

- A. EIC shall be responsible for verifying and reporting to the \_\_\_\_\_ on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such program.
- B. The \_\_\_\_\_ shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

**Section 2.** This local law shall take effect upon filing with the Secretary of State.



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Government Operations  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** Carl Falotico

**SUBJECT:** Policy Approval – Personnel

**Background Information:**

Due to size this document it is available on the city website –  
[www.CityofSchenectady.com](http://www.CityofSchenectady.com) on the Human Resource page –  
entitled “Schenectady City Employee Handbook”

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Government Operations  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** Carl Falotico

**SUBJECT:** Policy Approval – Purchasing

**Background Information:**

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**

## City of Schenectady Purchasing Policies

In accordance with New York State Law<sup>1</sup>, the following individuals are responsible for purchasing for the period of 1/1/2016 through 12/31/2017:

Gary McCarthy, Mayor of the City of Schenectady  
David Fronk, Director of Operations  
Wayne Bennett, Commissioner of Public Safety/ Senior Advisor to the Mayor  
Deborah DeGenova, Commissioner of Finance & Administration  
Anthony Ferrari, Deputy Commissioner of Finance  
Richard McIlravy-Ackert, Purchasing Supervisor

These rules set forth in this policy are based on the requirements of Article 5-A Section 103 of New York State General Municipal Law, the City of Schenectady Charter and the Schenectady Code.

### **Purchasing Requirements**

#### **1. Purchase of Equipment, Materials, Supplies, or Contracting for Public Works**

Commodities are considered to be materials, supplies, and equipment, while Public Works are considered to be services, labor, or construction. If a contract involves other service and equipment, the total character of the contract should be determined based on the primary purpose of the purchase.<sup>2</sup>

##### *Purchases less than \$300*

Purchases less than \$300 will be made at the discretion of the Mayor, the Purchasing Supervisor, or the Mayor's designee.

##### *Purchases \$300-\$1,999*

Departments send a request (requisition) to the Purchasing Supervisor. At a minimum, three verbal quotes from vendors must be obtained, and a purchase order is issued to the lowest responsible vendor.

##### *Purchases of \$2,000 -\$19,999 or Public Works Purchases of \$2,000-\$34,999*

Departments send a request (requisition) to the Purchasing Supervisor. At a minimum, three written quotes from vendors must be obtained, and a purchase order is issued to the lowest responsible vendor.

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<sup>1</sup> General Municipal Law §104-b(2)(f)

<sup>2</sup> See Office of the State Comptroller guidance document "Seeking Competition in Procurement."

### *Public Posting in Lieu of Quotes*

If three verbal or written quotes cannot be obtained for purchases under the formal bid threshold, but the purchase does not qualify as a sole source, the Purchasing Supervisor may ensure competitive procurement of the product by publically posting an online solicitation and then making the purchase from the lowest qualified quote.

### *Purchases \$20,000 and above or Public Works Purchases \$35,000 and above<sup>3</sup>*

Materials, supplies, and equipment purchases in aggregate of more than twenty thousand dollars per year, or public works contacts in aggregate of more than thirty-five thousand dollars per year must be competitively bid. The aforesaid amounts may be increased automatically as provided for in Article 5-A, section 103 of New York State General Municipal Law. The Supervisor of Purchasing works with the responsible department in developing bid specifications. Requests for bids are advertised in the legal advertising section of the City's official newspaper designated by the City Council and are distributed online through a free public forum.<sup>4</sup> There must be a minimum of the five days between the first day of bid publication and the public opening of bids by the Purchasing Supervisor.<sup>5</sup> The Purchasing Supervisor and the department will review bid results to determine the award, which is made to the lowest responsible bidder after review and approval by the City Council.

## **2. Purchase of Services**

### *Professional Services*

The purchase of professional services is initiated by the department in need of services.<sup>6</sup> Consistent with State General Municipal Law, Article 5A, Section 104-B, professional services must be procured in a manner that assured the prudent and economical use of public monies in the best interest of the taxpayers. The selection method to be used may include (but is not limited to) the following request for proposals, request for qualifications, recruitment, or open acceptance of proposals. Professional services contracts awarded with State or federal funds must follow any bidding requirements set forth in State, federal or other applicable statutes and guidelines. Once the service provider is selected, the department should work with the City's Law Department to prepare a contract, which must be approved by Corporation Counsel, the Purchasing Supervisor, the Commissioner of Finance & Administration, and the Mayor.

### *Maintenance Agreements*

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<sup>3</sup> General Municipal Law §103(1)

<sup>4</sup> General Municipal Law §103(2)

<sup>5</sup> General Municipal Law §103(2)

<sup>6</sup> According to OSC Guidance Document "Seeking Competition in Procurement" issued July 2014, Professional services are defined as "requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment, or a high degree of creativity."

Maintenance agreements for equipment are procured through the Purchasing Supervisor. The Purchasing Supervisor administers these contracts and must competitively acquire these services or provide sole source justification.

#### *Equipment Leases/Rentals*

Equipment leases and rental agreements must be approved by the Purchasing Supervisor and the Mayor.

#### *Specialized Services*

Other services unique to individual departments should be procured using the guidelines for purchases of materials, supplies, and equipment, based on the cost of the service.

#### *Best Value*<sup>7</sup>

The City reserved the right to use “best value” as a basis for awarding contracts “to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers.”<sup>8</sup> In assessing best value, “factors including, but are not limited to, reliability of a product, efficiency of operation, difficulty/ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance, and experience of a service provider with similar contracts” may be considered.<sup>9</sup> Whenever possible, the basis for a best value award must reflect objective and quantifiable analysis.

### **3. Public works construction contracts exceeding \$200,000**

Public works construction contracts exceeding \$200,000 may only be awarded to contractors and subcontractors that have an approved apprenticeship program as provided for in Article 23 of the New York State Labor Law and meet State Federal or City of Schenectady Minority and Women-Owned Business Utilization goals as appropriately apply.<sup>10</sup>

### **4. Exceptions to Competitive Procurement Requirements**

#### *Existing State and City Contracts*<sup>11</sup>

Purchases of commodities and Public Work may be made under existing contracts with New York State maintained by the Office of General Services or other counties or cities within New York State. Other municipal contracts must have a provision extending their use to other local governments. When purchasing off of an existing contract the contract details must be

<sup>7</sup> Pursuant to Local Law 3 of 2015 amending Chapter 62 of the Administrative Code of the City of Schenectady to allow for best value purchasing

<sup>8</sup> See State Finance Law, section 163(1)(j). General Municipal Law, section 103(1) cross-references the definition of “best value” in State Finance Law, section 163.

<sup>9</sup> See OSC Guidance Document “Seeking Competition in Procurement” provides explanation and use of “best value” as envisioned in this policy

<sup>10</sup> See the City of Schenectady Equal Opportunity and Affirmative Action Plan

<sup>11</sup> General Municipal Law §104, §103(3)

documented on the purchasing record.

### *Emergency Procurement<sup>12</sup>*

In an emergency situation the Purchasing Supervisor has the authority to make expenditures below the legal competitive bid threshold (\$20,000 for commodities and \$35,000 for public works) without seeking quotes. The department head requesting the purchase must explain the emergency situation in writing.<sup>13</sup> If the situation requires purchases or contract above the legal bid threshold, the Mayor must authorize the expenditure by stating the emergency situation in writing.

### *Sole Source Procurement*

A purchase may be exempt from competitive procurement if the Purchasing Supervisor makes a reasonable effort to determine that the item or service required is only available from one source. The Purchasing Supervisor must document the reason(s) for sole source procurement. If the procurement is above the legal competitive bid threshold it must be approved by the Mayor.

### *Cooperatives & Piggyback contracts*

In Lieu of obtaining written quotes for purchases of commodities up to \$20,000; the Purchasing Supervisor is authorized to make such purchases using established national and regional cooperative purchasing contracts, including but not limited to, the contracts issues by the following entities: the US General Services Administration (GSA) Schedule 70 Information Technology, Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP); US Communities Government Purchasing Cooperative, Western States Contracting Alliance (WSCA), National Joint Powers Alliance (NJPA), or the HGAC Buy Cooperative Purchasing Program.

Any other exception to New York State competitive procurement guidelines are authorized to be used by the City of Schenectady, with the approval of the Purchasing Supervisor.

updated as of January 2016

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<sup>12</sup> General Municipal Law §103(4)

<sup>13</sup> Emergency situations are defined as in General Municipal Law §103(4) as “a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property of the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action.”



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Government Operations  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** Carl Falotico

**SUBJECT:** Policy Approval – Fleet Efficiency

**Background Information:**

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**

# Vehicle Fleet Efficiency Policy

## Section 1 – Basis for Ordinance

1. WHEREAS, the City of Schenectady spent roughly \$816,000 on fuel consumption in 2014 and historical fuel use data indicates that this could increase if action is not taken;
2. WHEREAS, the City of Schenectady recognizes that the burning of fuels used by its fleet impacts air quality within the city and contributes greenhouse gas emissions which exacerbate effects of global climate change;
3. WHEREAS, the City of Schenectady recognizes that technology has progressed within the transportation sector, and as such, there are a plethora of fuel-efficient conventional vehicles, as well as alternative fueled vehicles and advanced vehicles available, the purchase of which will inevitably lead to lower emissions and fuel costs;
4. WHEREAS, the City of Schenectady acknowledges that the purchase of more fuel efficient and advanced vehicles as well as other fleet management techniques and operational strategies could lead to significant greenhouse gas emissions reductions as well as long-term monetary savings;
5. THEREFORE, the City has found that enacting a Vehicle Fleet Efficiency Policy is in the best interests of the residents and staff of the City of Schenectady as such a policy has the potential to enhance air quality within the City limits as well as reduce impacts of global climate change and save taxpayer dollars.

## Section 2 - Definitions

1. **Advanced Vehicles:** Any vehicle that combines new engine, power, or drivetrain systems to significantly improve fuel economy. This includes hybrid power systems and fuel cells, as well as some specialized electric vehicles.
2. **Alternative Fuel:** Any fuel that is substantially non-petroleum in nature, is not gasoline or diesel, and is defined as an alternative fuel by the U.S. Department of Energy through the authority granted it by the Energy Policy Act of 1992.
3. **Alternative Fuel Vehicles:** Any dedicated, flexible fuel, or dual-fuel vehicle designed to operate on at least one alternative fuel.
4. **Electric Drivetrain Vehicle:** Any vehicle that employs an electric drivetrain and motor as its primary means of motive force. The vehicle can be powered by fuel cells, electric batteries, petroleum or alternatively-fueled electric generators, or any combination thereof.
5. **City Fleet:** Vehicles and equipment utilized for City operations which includes, but is not limited to passenger vehicles, SUVs, vans, trucks, emergency response vehicles, generators, lawnmowers, trailers, and other specialized vehicles and equipment.

6. Fuel Economy: The amount of fuel required to move vehicles over a given distance. The United States Environmental Protection Agency establishes a mileage published label value for a particular motor vehicle.
7. Heavy Duty Vehicle: Any motor vehicle licensed for use on roadways, having a manufacturer's gross vehicle weight rating greater than 14,000 pounds.
8. Light Duty Truck: means any motor vehicle, rated at 6,000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.
9. Medium Duty Vehicle: Any motor vehicle having a manufacturer's gross vehicle weight rating of 14,000 pounds or less and which is not a light-duty truck or passenger vehicle.
10. Motor Vehicle: A vehicle propelled or driven upon a public highway which is propelled by any power other than muscular power, except electrically driven mobility assistance devices propelled or driven by a person with a disability, provided, however, that this term shall not include specially equipped vehicles.
11. Passenger Vehicle: A motor vehicle rated at 6,000 pounds gross vehicle weight or less which has the primary purpose of transporting persons and having a design capacity of twelve persons or less.
12. Emergency Response Vehicle: Any vehicle with the purpose of immediately responding to situations which could critically affect the health, safety, and well-being of the citizens of the City of Schenectady. These include, but are not limited to vehicles in operation by the Police and Fire Departments.
13. Specialized Vehicle: Any vehicle which provides service on specialized maintenance tasks. These could include, but are not limited to sweepers, tractors, trailers, or road repair equipment.

### **Section 3 – Vehicle Fleet Efficiency Policy**

1. It shall be the policy of the City of Schenectady to purchase, lease, or otherwise obtain the most energy efficient vehicles possible that meet the operational needs of the department or agency for which the vehicles are intended;
2. It shall be the policy of the City of Schenectady to manage and operate its fleets in a manner that is energy efficient and minimizes emissions;
3. It shall be the policy of the City of Schenectady to only purchase, lease, or otherwise obtain vehicles which are appropriate for their intended uses; and

4. It shall be the policy of the City of Schenectady to approach fleet management and operation holistically; the City shall not only explore the feasibility of purchasing, leasing, or otherwise obtaining energy efficient vehicles, but shall also try to reduce vehicle miles traveled as much as possible.

#### **Section 4 – Vehicle Fleet Efficiency Policy Strategies**

In order to accomplish the goals outlined in Section 4 above, the City of Schenectady shall modify its procurement procedures, implement policies, conduct reviews, and take other actions as outlined below:

1. Provide education to City employees
2. Reduce vehicle miles traveled
3. Right-size the City Fleet
4. Ensure Fleet Vehicles are regularly serviced
5. Purchase energy efficient, advanced, or alternative fuel vehicles
6. Annual Vehicle/Equipment Inventory and Analysis
7. Monitoring Standards and Procedures

#### **Explanation of Strategies:**

##### 1. Provide education to City employees

- City Employees should be informed of best practices to reduce fuel usage such while operating vehicles via educational materials or other methods.
- As alternative fueled vehicles or advanced vehicles are phased into the City Fleet, City employees should receive training on how to operate these vehicles to maximize efficiency.
- City Employees should be involved in annual reviews to update or improve purchasing procedures or other operational processes.
- The City will work with Departments which have vehicles which are frequently idling to explore methods to try and cut down these emissions including the use of battery-storage technologies or other methods. For all non-emergency vehicles, the City will work to educate employees to limit the amount of time that vehicles are left idling.

##### 2. Reduce Vehicle Miles Traveled

- As appropriate and feasible, meetings should be held in centralized locations and alternate meeting methods such as teleconferences or virtual meetings should have priority over physical meetings if those meetings would result in driving.
- As appropriate and feasible, employees should walk, bicycle, use public transportation and/or carpool should they have meetings or obligations outside of City offices.
- Travel routes, especially for vehicles which have repeated, pre-determined trips, should maximize fuel efficiency. The City should explore options to install technology within specialized route-based vehicles to ensure these types of efficiencies.

### 3. Right-Size the City Fleet

- Vehicles that are used infrequently or sporadically should be considered for removal from the fleet or consolidation with other departments.
- Vehicle sharing programs should be examined to reduce the number of vehicles within the fleet, as reasonable and appropriate.
- Each vehicle purchase should be reviewed to ensure that the vehicle is in a vehicle class that is appropriate to serve the critical needs of that department.

### 4. Ensure Fleet Vehicles are Regularly Serviced

- Each City Fleet vehicle will be regularly serviced to ensure that maximum fuel and operating efficiencies are achieved.
- If a vehicle requires frequent costly service, that vehicle will be examined for replacement.

### 5. Purchase Fuel-efficient/Low-emission Vehicles and Equipment

- Those who are responsible for purchasing vehicles within City Departments will work to identify the most fuel-efficient vehicles and equipment with maximum emissions reduction available that meet the department's operational needs.
- New purchases and replacements of passenger vehicles and other light-duty vehicles will be considered to achieve increased fuel efficiency and lower emissions. Requests for new vehicle purchases must be supplemented with a written justification of need.
- Encouragement of purchase of advanced vehicles and alternative fuel vehicles:
  1. For passenger vehicles, the City will give first preference to purchasing advanced or alternative/renewable-fueled vehicles and equipment when (A) they meet the operational needs of the Department, (B) they, their fuels and relevant parts are available or could easily be made available, and (C) they show a reduced or equivalent emissions or life-cycle per-mile costs (including maintenance), when compared with similar gas or diesel equipment.
  2. Vehicle procurement specifications should be modified as necessary to ensure that specifications are written in a manner with enough flexibility to allow for the purchase or lease of alternative fueled vehicles or electric drivetrain vehicles.
  3. Alternative fueled vehicle purchases or acquisitions will be made only when accompanied by a feasibility assessment which would include considerations of emissions and financial impact of alternative fuels, vehicles or equipment available to utilize the alternative fuel, vehicle costs, fuel availability, and the ability to utilize existing infrastructure. Vehicles using these fuel types should be duly considered when evaluating vehicle and equipment replacement.
- All passenger vehicles (with a passenger capacity of no more than 5 persons) acquired will be selected with the following priorities: minimum GHG emissions; maximum fuel economy; and, vehicles that achieve a combined city/highway Environmental Protection Agency (EPA) estimated 29 mpg or greater (or similar target for mpg or GHG emissions). Proposals for standard passenger vehicle purchases that do not meet these criteria require sufficient justification.
- Medium Duty Vehicles, Light Duty trucks, cargo vans, specialized and emergency response vehicles and equipment shall be purchased or leased to comply with the requirements of this policy only as vehicles become available which are cost-effective for

the City to consider purchasing. Departments utilizing mostly special purpose vehicles (such as emergency response vehicles) are urged to consider significant changes to their standard passenger vehicle procurement and to their operational and travel behaviors.

- The above criteria shall be incorporated into vehicle bid specifications and shall be included during the purchase of vehicles off of state contract.

#### 6. Annual Vehicle/Equipment Inventory and Analysis

Annually, the City shall conduct a full inventory of all of the vehicles within its fleet to provide a baseline for which to measure progress over the short, medium, and long-term. The information within this inventory shall include:

- A list of vehicles and equipment ordered by classification, drivetrain (2WD/4WD) or engine type, model year, make, model, engine size, vehicle identification number (VIN), etc.;
- Vehicle or equipment function (i.e., the tasks associated with the vehicle's use);
- Type of fuel (or power source, e.g., electricity);
- Estimated (EPA standards) miles per gallon and actual annual average miles per gallon (or gallon equivalent);
- Average fuel cost per mile (or time used) for the past year and for the life of the equipment;
- Annual miles driven (or hours operated);
- Total fuel (or power) consumption (including fuel from non-City owned fuel pumps);
- Annual cost of repairs and routine maintenance;
- Annual and lifetime operational (fuel and maintenance) cost per mile (or time used);
- Estimated emissions per mile for each pollutant by vehicle type/class based on EPA tailpipe standards for the following: Carbon Monoxide (CO), Nitrogen Oxides (NOx), and Particulate Matter (PM).
- Average fuel cost per gallon (or gallon equivalent) for all the fuels used by the fleet; and
- Other relevant fuel-related information that is not vehicle specific.

#### 7. Monitoring Standards and Procedures

Annually, biannually, or quarterly (as time and resources allow), there will be a review of fleet performance and new vehicle purchases. This review will be conducted by either an advisory committee, an independent board, or a local government staff member who will report to the Mayor as well as all city staff on metrics associated with policy progress.

The information contained in the annual vehicle inventory will assist with this analysis, however, the advisory committee, independent board, or local government staff member shall also review and pay special attention to maintenance costs and cost per mile of vehicles, all vehicle purchase request forms submitted, and any new or supplementary equipment that was purchased that may assist with the efficiency of fleet vehicles.

As progress is made with the implementation of this policy, there will be the option annually of making amendments to this policy to allow for flexibility in responding to conditions within the marketplace as well as with local government operations and initiatives.

AE-1



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Administrative Efficiency  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Polimeni

**SUBJECT:** Disc – Employee Recognition

**Background Information:**

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Administrative Efficiency  
**DATE:** 01/19/2016

**TO:** COUNCILMEMBERS

**FROM:** John Polimeni

**SUBJECT:** Disc - Tax bill

**Background Information:**

Example attached.

**Evaluation/Analysis:**

**Recommendation:**

Final Review

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**



**CITY OF SCHENECTADY  
PROPERTY TAX BILL  
BUREAU OF RECEIPTS  
518-382-5016**

**FISCAL YEAR: 01/01/2016 - 12/31/2016  
WARRANT DATE: 10/29/2015**

**ESTIMATED STATE AID**

CNTY 35,944,684.00  
CITY 11,205,994.00

40.78-1-12

POLIMENI JOHN MATTHEW  
1165 MCCLELLAN ST  
SCHENECTADY, NY 12309

PROPERTY LOC: 1165 MCCLELLAN ST  
CITY OF: SCHENECTADY  
SCHOOL: SCHENECTADY  
NYS TAX & FINANCE  
DISTRICT CODE: 589  
PROPERTY CLASS: SNGL FAM  
ROLL SEC: 1  
PARCEL DIMENSIONS  
FRONT: 50.00 DEPTH: 144.00  
BILL NO. SWISS BANK CODE  
5167 421500 FA00

**PROPERTY TAXPAYER'S BILL OF RIGHTS:**

THE ASSESSOR ESTIMATES THE FULL MARKET VALUE OF THIS PROPERTY AS OF JULY 1, 2014 WAS:  
THE TOTAL ASSESSED VALUE OF THIS PROPERTY IS:  
THE UNIFORM PERCENTAGE OF VALUE TO ESTABLISH ASSESSMENTS IN YOUR MUNICIPALITY IS: 121.00%

If you feel your assessment is too high, you have the right to seek a reduction in the future. A publication entitled "Contesting your assessment" is available at the Assessor's office and on line at [www.tax.ny.gov](http://www.tax.ny.gov). Please note that the period for filing complaints on the above assessment has passed.

Exemption	Value	Tax Purpose	Exemption	Value	Tax Purpose

Tax Description	Total Tax Levy	% Change From Prior Year	Taxable Assessed Value	Rate Per \$1000	Tax Amount
CITY TAX	31,385,500	-7.000		13.3129	
STATE FED MANDATE	15,213,011	1.7000		6.6817	
CO ELECTION CHG					
FLAT RATE SEWER					
TRASH COLLECTION FEE					
FLAT RATE WATER					

**ARE PRIOR TAXES DUE?  YES-SEE BACK FOR IMPORTANT INFORMATION TOTAL TAXES DUE:**

MAKE CHECKS PAYABLE TO: CITY OF SCHENECTADY, P.O. BOX 947, SCHENECTADY, NY, 12301-0947  
OR PAY IN PERSON: CITY HALL, JAY STREET, ROOM 100, SCHENECTADY, NY 12305

Pay online at [WWW.CITYOFSCHENECTADY.COM](http://WWW.CITYOFSCHENECTADY.COM) Go to CITIZEN SELF SERVICE and Follow the prompts. NOTE: THERE IS AN ADDITIONAL SERVICE CHARGE FOR ONLINE PAYMENTS

PS 11-1



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Public Service & Utilities  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Polimeni

**SUBJECT:** Ceremonial Resolution – City Recycling Crew as 1<sup>st</sup> Responders

**Background Information:**

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**

ES 21-2



**CITY OF SCHENECTADY  
LEGISLATION REQUEST FORM**

**COMMITTEE ASSIGNMENT:** Public Service & Utilities  
**DATE:** 01/19/16

**TO:** COUNCILMEMBERS

**FROM:** John Polimeni

**SUBJECT:** Ceremonial Resolution – City Waste Collection Crew as 1<sup>st</sup>  
Responders

**Background Information:**

**Evaluation/Analysis:**

**Recommendation:**

**LEGISLATION WILL BE PREPARED BY \_\_\_\_\_**