

**CITY OF AMSTERDAM, NEW YORK  
COMMON COUNCIL MEETING**

**April 1, 2014, 2014**

**7:00 P.M.**

**ORDER OF BUSINESS**

- I. Call to Order
- II. Salute to the Flag
- III. Roll Call
- IV. Adoption of Agenda
- V. Proclamations
- VI. Communications and Presentations
- VII. Public Participation
- VIII. Controller's Report
- IX. Old Business: Res. 13/14-191
- X. New Business:
  - (a) Resolutions
  - (b) Ordinances
  - (c) Local Laws:
  - (d) Introduction of Ordinances:
  - (e) Introduction of Local Laws
  - (f) Committee Reports
  - (g) Scheduling of Committee Meetings
  - (h) Other:
- XI. Executive Session (if required)
- XII: Adjournment

**6:00 PM FINANCE COMMITTEE MEETING**

## RESOLUTIONS

### *Old Business*

191. RESOLUTION RESCIND RESOLUTION 13/14-110 – TURF PROJECT HATZENBUHLER

### **New Business**

216. RESOLUTION ADOPTING MINUTES BEEKMAN  
217. RESOLUTION APPROVING AUDIT HATZENBUHLER  
218. RESOLUTION AUTHORIZING AGREEMENT – MILLIMAN HATZENBUHLER  
219. RESOLUTION AMENDING BUDGET – POLICE RUSSO  
220. RESOLUTION AMENDING BUDGET – WATER TREATMENT PLANTLEGGIERO  
221. RESOLUTION APPROVING PROPOSAL-POEHLMAN HATZENBUHLER  
222. RESOLUTUION REQUESTING HOME RULE ACTION-LOCHNER MAYOR

## ORDINANCE

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
FEBRUARY 25, 2014**

**RESOLUTION #13/14-191**

**RESOLUTION RESCINDING RESOLUTION #13/14-110 – TURF PROJECT**

**BY: ALDERWOMAN HATZENBUHLER**

**WHEREAS**, Resolution #13/14-110 authorized going forward with the turf project at Shuttleworth Park, and

**WHEREAS**, during the month of January 2014, the baseball field was plowed without authorization by the City of Amsterdam, causing upwards of \$5,000 in damage to the grass field, and

**WHEREAS**, drainage tiles for the field were extensive in cost and the drainage system should be protected during, turf installation, and

**WHEREAS**, a primary component of turf installation is a laser for leveling which has been waived for use during installation which could result in cancellation of the warranty,

**RESOLVED**, Resolution #13/14-110 is hereby rescinded until if and when such time as it can be determined to be a feasible project for the City of Amsterdam.

**MOTION TO TABLE** by Alderman Barone, passed with Aye. (2/25/14)

**MOTION TO REMOVE FROM TABLE** by Alderman Russo, passed with Aye. (3/18/14)

**MOTION TO TABLE** by Alderman Barone, passed with Aye. (3/18/14)

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 1 2014**

**RESOLUTION #13/14-216**

**RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING**

**BY: ALDERWOMAN BEEKMAN**

**RESOLVED**, that the minutes of the Common Council meeting of March 18, 2014, prepared by the Amsterdam City Clerk are hereby adopted.

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
_____		
Alderwoman Beekman		
_____		
Alderman Barone		
_____		
Alderwoman Hatzenbuhler		
_____		
Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-217**

**RESOLUTION APPROVING AUDIT**

**BY: ALDERWOMAN HATZENBUHLER**

**RESOLVED**, the bills examined by the Common Council and reported herewith as correct and they are, allowed and ordered paid and the City Clerk is authorized and empowered to issue warrants in payment of same.

COMMON COUNCIL  
City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Russo</u>		
<u>Alderman Beekman</u>		
<u>Alderman Barone</u>		
<u>Alderman Hatzenbuhler</u>		
<u>Alderman Leggiero</u>		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-218**

**RESOLUTION AUTHORIZING AGREEMENT WITH MILLIMAN FOR PROFESSIONAL SERVICES**

**BY: ALDERWOMAN HATZENBUHLER**

**WHEREAS**, actuarial services are required to submit an application for Medicare Part D 28% employer Subsidy,

**RESOLVED**, the Mayor is authorized to execute the attached agreement with Milliman for performance of actuarial services in the amount of \$3,100.00.

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
_____ Alderman Russo		
_____ Alderwoman Beekman		
_____ Alderman Barone		
_____ Alderwoman Hatzenbuhler		
_____ Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-219**

**RESOLUTION AMENDING BUDGET – POLICE**

**BY: ALDERMAN RUSSO**

**WHEREAS**, an insurance recovery check has been received for payment of auto accident,

**RESOLVED**, the Controller is authorized to amend the 2013-14 budget as follows:

**INCREASE REVENUE:**

A-2680	Ins. Recovery	\$334.30
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**INCREASE EXPENSE:**

A-3120-4021	Equip, Repair	\$334.30
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COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
_____		
Alderman Barone		
_____		
Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-220**

**RESOLUTION AMENDING BUDGET – WATER TREATMENT PLANT**

**BY: ALDERMAN LEGGIERO**

**WHEREAS**, an budget amendment is needed to cover longevity costs for this budget year,

**RESOLVED**, the Controller is authorized to amend the 2013-14 budget as follows:

**DECREASE EXPENSE:**

F-8320-1010	Source of Supply Seasonal	\$300.00
F-8330-1010	Part Time Seasonal	\$700.00

**INCREASE EXPENSE:**

F-8320-1005	Longevity	\$300.00
F-8330-1005	Longevity	\$700.00

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
_____		
Alderwoman Beekman		
_____		
Alderman Barone		
_____		
Alderwoman Hatzenbuhler		
_____		
Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-221**

**RESOLUTION AUTHORIZING EXTENSION OF CONTRACT – POEHLMAN**

**BY: ALDERWOMAN HATZENBUHLER**

**RESOLVED**, the proposal for profession services by Lauren Poehlman for preparation of bank reconciliations for 2011-2012 in cooperation with West & Company and training office staff on bank reconciliation procedures per the attached for an amount not to exceed \$5,000 is hereby approved and the Mayor is authorized to sign agreement with Lauren Poehlman

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014

*Lauren Poehlman  
200 Lincoln Ave  
Fayetteville, NY 13066*

*315-256-7531*

*laurenpoehlmancpa@gmail.com*

*Matthew Agresta  
City of Amsterdam  
Comptroller's Office  
Amsterdam, NY 12010*

*March 13, 2014*

*Proposal for Professional Services:*

*Preparation of Bank Reconciliations for 2011-12 in cooperation with West & Co., as needed*

*Training office staff on bank reconciliation procedures – as needed*

*\$90 Hour , Not to Exceed \$5,000*

*Thank you*

*Lauren Poehlman*

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 18, 2014**

**RESOLUTION #13/14-222**

**RESOLUTION REQUESTING ENACTMENT OF A SPECIAL LAW TO ALLOW JOEL LOCHNER TO JOIN THE TWENTY YEAR RETIREMENT PLAN**

**BY: MAYOR THANE**

**WHEREAS**, Officer Joel Lochner was hired by the City of Amsterdam on or about July 16, 2010, and

**WHEREAS**, Officer Lochner was inadvertently assigned to the wrong retirement system plan, contrary to the provisions of the collective bargaining agreement applicable to his position, and in order to correct this error special legislation is required,

**RESOLVED**, that the City of Amsterdam requests that special legislation as set forth in *AN ACT to allow Joel Lochner to join the optional twenty year retirement plan*, Assembly Bill number 7478B and Senate Bill number 5676B be enacted.

COMMON COUNCIL  
City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Russo</u>		
<u>Alderwoman Beekman</u>		
<u>Alderman Barone</u>		
<u>Alderwoman Hatzenbuhler</u>		
<u>Alderman Leggiero</u>		

\_\_\_\_\_  
ANN M. THANE, MAYOR

Dated: \_\_\_\_\_, 2014



THE STATE OF NEW YORK  
BILL TEXT

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2013 NY S.B. 5676

NEW YORK 236TH ANNUAL LEGISLATIVE SESSION

SENATE BILL 5676

STATE OF NEW YORK

5676--B

2013-2014 REGULAR SESSIONS

IN SENATE

JUNE 3, 2013

INTRODUCED BY SEN. TKACZYK -- READ TWICE AND ORDERED PRINTED, AND WHEN  
PRINTED TO BE COMMITTED TO THE COMMITTEE ON CIVIL SERVICE AND PENSIONS --  
COMMITTEE DISCHARGED, BILL AMENDED, ORDERED REPRINTED AS AMENDED AND  
RECOMMITTED TO SAID COMMITTEE -- RECOMMITTED TO THE COMMITTEE ON CIVIL SERVICE  
AND PENSIONS IN ACCORDANCE WITH SENATE RULE 6, SEC. 8 -- COMMITTEE DISCHARGED,  
BILL AMENDED, ORDERED REPRINTED AS AMENDED AND RECOMMITTED TO SAID COMMITTEE

BILL TRACKING REPORT: 2013 Bill Tracking NY S.B. 5676

*2013 Bill Text NY S.B. 5676*

**VERSION:** Amended

**VERSION-DATE:** March 26, 2014

**SYNOPSIS:** AN ACT to allow Joel Lochner to join the optional twenty year retirement plan, city of Amsterdam, county of Montgomery

**TEXT:** The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Notwithstanding any other provision of law to the contrary, the city of Amsterdam, in the county of Montgomery, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional twenty year retirement plan, established pursuant to section 384-d of the retirement and social security law, to police officers employed by such city, is hereby authorized to make participation in such plan available to Joel Lochner, a police officer employed by the city of Amsterdam, who, for reasons not ascribable to his own negligence failed to make a timely application to participate in such optional twenty year retirement plan. The city of Amsterdam may so elect by filing with the state comptroller, on or before December 31, 2014, a resolution of its governing body together with certification that such police officer did not bar himself from participation in such retirement plan. Thereafter, Joel Lochner, may elect to be covered by the provisions of section 384-d of the retirement and social security law as a Tier 5 member, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to that effect with the state comptroller on or before December 31, 2014.

Section 2. All past service costs associated with implementing the provisions of this act shall be borne by the city of Amsterdam and may be amortized over a period of five years.

Section 3. This act shall take effect immediately.

FISCAL NOTE.-- Pursuant to Section 50 of the Legislative Law:

This bill will allow the city of Amsterdam to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officer Joel Lochner.

If this bill were enacted, we anticipate that there will be an increase of approximately \$ 3,900 in the annual contributions of the city of Amsterdam for the fiscal year ending March 31, 2015. In future years this cost will vary as the billing rates and salary of police officer Joel Lochner change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$ 14,300 which would be borne by the city of Amsterdam as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2015.

If the past service cost is amortized over a period of five (5) years, the past service costs for the first year including interest, would be approximately \$ 3,300.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013 Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012 and 2013 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2013 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated February 27, 2014 and intended for use only during the 2014 Legislative Session, is Fiscal Note No. 2014-92, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.

SPONSOR: Tkaczyk

LOAD-DATE: March 27, 2014



THE STATE OF NEW YORK  
BILL TEXT

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2013 NY A.B. 7478

NEW YORK 236TH ANNUAL LEGISLATIVE SESSION

ASSEMBLY BILL 7478

STATE OF NEW YORK  
7478--B

2013-2014 REGULAR SESSIONS  
IN ASSEMBLY  
MAY 22, 2013

INTRODUCED BY M. OF A. SANTABARBARA -- READ ONCE AND REFERRED TO THE  
COMMITTEE ON GOVERNMENTAL EMPLOYEES -- COMMITTEE DISCHARGED, BILL AMENDED,  
ORDERED REPRINTED AS AMENDED AND RECOMMITTED TO SAID COMMITTEE -- RECOMMITTED  
TO THE COMMITTEE ON WAYS AND MEANS IN ACCORDANCE WITH ASSEMBLY RULE 3, SEC. 2  
-- COMMITTEE DISCHARGED, BILL AMENDED, ORDERED REPRINTED AS AMENDED AND  
RECOMMITTED TO SAID COMMITTEE

BILL TRACKING REPORT: 2013 Bill Tracking NY A.B. 7478

*2013 Bill Text NY A.B. 7478*

**VERSION:** Amended

**VERSION-DATE:** March 13, 2014

**SYNOPSIS:** AN ACT to allow Joel Lochner to join the optional twenty year retirement plan, city of Amsterdam, county of Montgomery

**TEXT:** The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Notwithstanding any other provision of law to the contrary, the city of Amsterdam, in the county of Montgomery, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional twenty year retirement plan, established pursuant to section 384-d of the retirement and social security law, to police officers employed by such city, is hereby authorized to make participation in such plan available to Joel Lochner, a police officer employed by the city of Amsterdam, who, for reasons not ascribable to his own negligence failed to make a timely application to participate in such optional twenty year retirement plan. The city of Amsterdam may so elect by filing with the state comptroller, on or before December 31, 2014, a resolution of its governing body together with certification that such police officer did not bar himself from participation in such retirement plan. Thereafter, Joel Lochner, may elect to be covered by the provisions of section 384-d of the retirement and social security law as a Tier 5 member, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to that effect with the state comptroller on or before December 31, 2014.

Section 2. All past service costs associated with implementing the provisions of this act shall be borne by the city of Amsterdam and may be amortized over a period of five years.

Section 3. This act shall take effect immediately.

FISCAL NOTE.--This bill will allow the city of Amsterdam to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officer Joel Lochner.

If this bill were enacted, we anticipate that there will be an increase of approximately \$ 3,900 in the annual contributions of the city of Amsterdam for the fiscal year ending March 31, 2015. In future years this cost will vary as the billing rates and salary of police officer Joel Lochner change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$ 14,300 which would be borne by the city of Amsterdam as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2015.

If the past service cost is amortized over a period of five (5) years, the past service costs for the first year including interest, would be approximately \$ 3,300.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013 Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

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This estimate, dated February 27, 2014 and intended for use only during the 2014 Legislative Session, is Fiscal Note No. 2014-92, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.

SPONSOR: Santabarbara

LOAD-DATE: March 15, 2014