

**COMMON COUNCIL MEETING**

**APRIL 19, 2016**

**6:00 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
- 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
- XII: Adjournment

**5:30 p.m. COW**

- 1. Review of Agenda Items
- 2. Any other business to come before the Council

**5:55 p.m. Public Hearing Ordinance 2016-C**

*Old Business*

*None.*

*New Business*

<b>241. RESOLUTION ADOPTING MINUTES</b>	<b>RUSSO</b>
<b>242. RESOLUTION AMENDING BUDGET – POLICE</b>	<b>MAJEWSKI</b>
<b>243. RESOLUTION AMENDING BUDGET – POLICE</b>	<b>MAJEWSKI</b>
<b>244. RESOLUTION AMENDING BUDGET – ENGINEERING/DPW</b>	<b>RUSSO</b>
<b>245. RESOLUTION AMENDING BUDGET – GOLF</b>	<b>WOJNAR</b>
<b>246. RESOLUTION AMENDING BUDGET – GOLF</b>	<b>WOJNAR</b>
<b>247. BOND RESOLUTION \$1,188,000</b>	<b>MAYOR</b>
<b>248. RESOLUTION AMENDING BUDGET – TRAIN STATION STUDY</b>	<b>MAYOR</b>
<b>249. RESOLUTION AUTHORIZING FUNDING-MVGO</b>	<b>MAYOR</b>
<b>250. RESOLUTION APPROVING AUDIT</b>	<b>RUSSO</b>

*Ordinance*

<b>Ordinance 2016-3(C) An Ordinance Amending Chapter 228-47</b>	<b>Martuscello</b>
<b>Ordinance 2016-D An Ordinance Amending Chapter 228-43 (introduction)</b>	<b>Majewski</b>

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-241**

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

**BY: ALDERMAN RUSSO**

**RESOLVED**, the minutes of the Common Council meeting of the Meeting of April 5, 2016 are hereby adopted.

Common Council  
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-242**

**RESOLUTION AMENDING BUDGET – POLICE**

**BY: ALDERMAN MAJEWSKI**

**RESOLVED**, the Controller is authorized to amend the 2015-2016 budget to cover budget lines that are depleted as follows:

**DECREASE EXPENSE:**

A-3120-1500	Service Pay leave	\$19,000 (bal. \$13,463.20)
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**INCREASE EXPENSE:**

A-3120-1207	Comp Buyback	\$19,000
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Common Council  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
_____		
Alderman Ochal		
_____		
Alderman Majewski		
_____		
Alderman Wojnar		
_____		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-243**

**RESOLUTION AMENDING BUDGET – POLICE**

**BY: ALDERMAN MAJEWSKI**

**RESOLVED**, the Controller is authorized to amend the 2015-2016 budget to cover budget lines that are depleted as follows:

**DECREASE EXPENSE:**

A-3120-1300	Holiday Pay	\$7,500 (bal. \$9,789.41)
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**INCREASE EXPENSE:**

A-3120-1209	Overtime Shift Shortage	\$7,500
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Common Council  
City of Amsterdam, NY

	Aye	Nay
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Alderman Russo		
_____		
Alderman Ochal		
_____		
Alderman Majewski		
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Alderman Wojnar		
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Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-244**

**RESOLUTION AMENDING BUDGET – ENGINEERING/DPW**

**BY: ALDERMAN RUSSO**

**RESOLVED**, the Controller is authorized to amend the 2015-2016 budget for receipt of insurance monies for a stop sign damaged in a stop sign as follows:

**INCREASE REVENUE:**

A-2680	Ins. Recovery	\$68.15
A-3680.21	Ins. Recovery	\$59.26

**INCREASE EXPENSE:**

A-3010-4045	Street Signs	\$68.15
A-5110-1001	Overtime	\$20.76
A-5110-2012	Equip/Supplies	\$38.28
A-5110-4078	Radio Repairs	\$ .22

Common Council  
City of Amsterdam, NY

	Aye	Nay
_____		
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-245**

**RESOLUTION AMENDING BUDGET – GOLF**

**BY: ALDERMAN WOJNAR**

**RESOLVED**, the Controller is authorized to amend the 2015-2016 budget to cover unemployment funds as follows:

**DECREASE EXPENSE:**

CR-7180-4036	Contingency	\$6,000
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**INCREASE EXPENSE:**

CR-7180-8840	Unemployment	\$6,000
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Common Council  
City of Amsterdam, NY

	Aye	Nay
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Alderman Russo		
_____		
Alderman Ochal		
_____		
Alderman Majewski		
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Alderman Wojnar		
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Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-246**

**RESOLUTION AMENDING BUDGET – GOLF**

**BY: ALDERMAN WOJNAR**

**RESOLVED**, the Controller is authorized to amend the 2015-2016 budget to cover associated sewer repair work done by Brandel excavation as follows:

**DECREASE EXPENSE:**

CR-7180-4139	Diesel Fuel	\$2,000
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**INCREASE EXPENSE:**

CR-7180-4029	bldg Repairs	\$2,000
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Common Council  
City of Amsterdam, NY

	Aye	Nay
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Alderman Russo		
_____		
Alderman Ochal		
_____		
Alderman Majewski		
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Alderman Wojnar		
_____		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-247**

**BOND RESOLUTION DATED APRIL 19, 2016.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,188,000 BONDS OF THE CITY OF AMSTERDAM, MONTGOMERY COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PURPOSES, IN AND FOR SAID CITY.**

**BY: MAYOR VILLA**

**WHEREAS**, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

**WHEREAS**, it is now desired to authorize the financing of such capital purposes; NOW,

**RESOLVED**, by the Common Council of the City of Amsterdam, Montgomery County, New York, as follows:

Section 1. For the purpose of paying the cost of the objects or purposes hereinafter set forth in this bond resolution, including, in each instance, incidental expenses in connection therewith, each of which is a capital purpose, there are hereby authorized to be issued \$1,188,000 bonds of the City of Amsterdam, Montgomery County, New York, pursuant to the provisions of the Local Finance Law, apportioned among the specific objects or purposes and classes of objects or purposes set forth in Section 2 hereof in accordance with the estimated maximum cost of each as set forth in Section 2 hereof or as otherwise indicated in Section 2 hereof. The plan of financing for each such specific object or purpose or class of objects or purposes is the issuance of the obligations authorized therefore.

Section 2. The objects or purposes to be financed pursuant to this bond resolution are as follows:

Acquisition of various firefighting equipment and apparatus, a class of objects or purposes, at an estimated maximum cost of \$160,000, with a period of probable usefulness of five years pursuant to subdivision thirty-two of paragraph a of Section 11.00 of the Local Finance Law, and the amount of bonds to be issued shall be reduced by the amount of grant monies received therefore, presently expected in the amount of \$160,000;

Construction and reconstruction of an indoor firing range at the City's Public Safety Building, a specific object or purpose, at an estimated maximum cost of \$285,000, with a period of probable usefulness of twenty-five years pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, as the Public Safety Building is a class "A" building within the meaning of subdivision 11 of said paragraph a, and the amount of bonds to be issued shall be reduced by the amount of grant monies received therefore, presently expected in the amount of \$285,000 from the State of New York, through the Dormitory Authority of the State of New York;

(i) Evaluation of possible relocation of the train station, including incidental expenses in connection therewith, specific object or purpose, at an estimated maximum cost of \$186,000, with a period of probable usefulness of five years pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law, and (ii) the plan of finance consists of \$93,000 bonds hereby authorized and the use of \$93,000 grant moneys from the State of New York;

(i) Various improvements to the Mohawk Valley Gateway Overlook pedestrian bridge to facilitate use as a recreational facility, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$650,000, with a period of probable usefulness of fifteen years pursuant to subdivision nineteen of paragraph a of Section

11.00 of the Local Finance Law, and (ii) the amount of bonds to be ultimately issued shall be reduced by any grant monies received therefore, presently expected in the amount of \$325,000 from the New York State Department of State and \$325,000 from the New York State Department of Transportation;

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said City of Amsterdam, Montgomery County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the City of Amsterdam, Montgomery County, New York, by the manual or facsimile signature the City Controller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution.
- Section 9. This resolution shall take effect immediately upon its passage and the approval thereof by the Mayor, pursuant to Section C34 of the Charter of the City, and shall then be published in full in *The Recorder*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Common Council  
 City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
 MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-248**

**RESOLUTION AMENDING BUDGET – FEASIBILITY STUDY FOR RELOCATION OF TRAIN STATION**

**BY: MAYOR VILLA**

**WHEREAS**, the City of Amsterdam has received a grant from the New York State Department of State in the amount of \$115,000 for a feasibility study for the relocation of the train station, and

**WHEREAS**, the City’s required match per said grant is \$115,000 with cash match of \$93,500, and in kind match of \$21,500;

**RESOLVED**, that the City accepts said grant and authorizes the issuance of an RFP for professional services associated with said grant, and

**FURTHER RESOLVED**, the Controller is authorized to amend the 2015-2016 budget upon receipt of grant monies with said monies being allocated at time of receipt.

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL J VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-249**

**RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING – MOHAWK VALLEY GATEWAY OVERLOOK PEDESTRIAN BRIDGE**

**BY: MAYOR VILLA**

**WHEREAS**, a Project for the Mohawk Valley Gateway Overlook Pedestrian Bridge, P.I.N. 2650.50.301 (DO34981) (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 50% Federal Funds and 50% non-Federal funds, and

**WHEREAS**, the City of Amsterdam desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the project by utilization of funding from the New York State Department of State Local Waterfront Revitalization Program,

**RESOLVED**, the City of Amsterdam Common Council hereby approves the above subject project, and

**FURTHER RESOLVED**, the City of Amsterdam Common Council hereby authorizes the City of Amsterdam to pay in the first instance 100% of the Federal and non-Federal share of the cost of work for the Project or portions thereof, and

**FURTHER RESOLVED**, the sum of \$650,000 is hereby appropriated from H-8510-2100..201401 and made available to cover the cost of participation in the above phase of the Project, and

**FURTHER RESOLVED**, in the event the full Federal and non-Federal share of the costs of the project exceeds the amount appropriated above, the City of Amsterdam Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor, and

**FURTHER RESOLVED**, the Mayor of the City of Amsterdam is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal aid and/or Marchiselli Program aid on behalf of the City of Amsterdam with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and state-aid eligible Project costs within appropriations therefore that are not so eligible, and

**FURTHER RESOLVED**, a certified copy of this resolution to be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and

**FURTHER RESOLVED**, this Resolution shall take effect immediately.

COMMON COUNCIL  
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL J VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**RESOLUTION #15/16-250**

**RESOLUTION APPROVING AUDIT**

**BY: ALDERMAN RUSSO**

**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

	Aye	Nay
Alderman Russo		
Alderman Ochal		
Alderman Majewski		
Alderman Wojnar		
Alderman Martuscello		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 5, 2016**

**ORDINANCE 2016-3**

**AN ORDINANCE AMENDING CHAPTER 228-47 OF THE CODE OF THE CITY OF AMSTERDAM – PARKING PROHIBITED AT ALL TIMES**

**BY: ALDERMAN MARTUSCELLO**

**WHEREAS**, it has been recommended that changes be made to Chapter 228-47 of the Code of the City of Amsterdam, in Common Council convened, does hereby:

**ORDAIN AND ENACT** as follows:

Chapter §228-47 Schedule XIII Parking Prohibited at all times –no person shall park a vehicle at any time upon any of the described streets or parts thereof is hereby amended as indicated below (underlined text is added struck through text is to be deleted)

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Florida Avenue	North	Broadway <del>to a point 275 feet east thereof</del> <u>East to National Grid Pole #23</u>

Common Council  
City of Amsterdam, NY

	Aye	Nay
<u>Alderman Russo</u>		
<u>Alderman Ochal</u>		
<u>Alderman Majewski</u>		
<u>Alderman Wojnar</u>		
<u>Alderman Martuscello</u>		

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
APRIL 19, 2016**

**ORDINANCE 2016-D (for introduction)**

**AN ORDINANCE AMENDING CHAPTER 228-43 OF THE CODE OF THE CITY OF AMSTERDAM – STOP INTERSECTIONS**

**BY: ALDERMAN MAJEWSKI**

**WHEREAS**, it has been recommended that changes be made to Chapter 228-43 of the Code of the City of Amsterdam, in Common Council convened, does hereby:

**ORDAIN AND ENACT** as follows:

Chapter §228-43 Schedule XI Stop Intersections –In accordance with the provisions of §228-12 the following described intersections are hereby designated as stop intersections and stop signs shall be installed as follows: (the described streets or parts thereof is hereby amended as indicated below underlined text is added struck through text is to be deleted)

Stop Sign On:	Direction of Travel	At Intersection of:
<u>Second Avenue</u>	<u>South</u>	<u>Park Street</u>
<u>First Avenue</u>	<u>South</u>	<u>Park Street</u>

Common Council  
City of Amsterdam, NY

Aye      Nay

\_\_\_\_\_  
Alderman Russo

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Alderman Ochal

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Alderman Majewski

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Alderman Wojnar

\_\_\_\_\_  
Alderman Martuscello

\_\_\_\_\_  
MICHAEL VILLA, MAYOR

DATED: \_\_\_\_\_, 2016