

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 3, 2013
7:30 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. 13/14-106
- 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

6:30 pm Finance Meeting (rescheduled from 11/26/13)

Copies of agenda, resolutions and pertinent information are available in the city clerk at a cost of 25 cent per page. Request for copies need to be made prior to 4 pm on Tuesday on the day of the meeting.

RESOLUTIONS

Old Business

106 **RESOLUTION APPROVING THE SUBMISSION
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

MAYOR

New Business

113. RESOLUTION ADOPTING MINUTES	DEROSSİ
114. RESOLUTION APPROVING AUDIT	LEGGIERO
115. RESOLUTION AMENDING BUDGET-ENGINEERING	LEGGIERO
116. RESOLUTION AMENDING BUDGET-ENGINEERING	LEGGIERO
117. RESOLUTION APPROVING AHA SALARIES	BEEKMAN
118. RESOLUTION IN SATISFACTION OF MORTGAGE	MAYOR
119. RESOLUTION FULL RELEASE OF CLAIMS & DAMAGES	MAYOR
120. RESOLUTION APPROVING EXTENDED SICK LEAVE	LEGGIERO
121. RESOLUTION AMENDING BUDGET – RECORDS	MAYOR
122. RESOLUTION ACCEPTING DEED IN LIEU OF FORECLOSURE, 124-126 GRAND STREET	DYBAS

ORDINANCES

Ordinance “G” Amending Chapter 206 of the Code of the City of Amsterdam

LOCAL LAWS

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
NOVEMBER 19, 2013**

RESOLUTION #13/14-106

RESOLUTION APPROVING THE SUBMISSION OF A HUD COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

BY: MAYOR THANE

WHEREAS, the City of Amsterdam wishes to apply for Community Development Block Grant funding for the 2013 Fiscal Year under the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the City of Amsterdam, has determined that a serious need exists to undertake neighborhood revitalization and housing rehabilitation programs in the City; and,

WHEREAS, the City of Amsterdam Comprehensive Plan calls for neighborhood preservation and revitalization activities in various neighborhoods throughout the City;

RESOLVED, that the City of Amsterdam apply for \$400,000 in Fiscal Year 2013 Community Development Block Grant Funds to undertake housing rehabilitation activities in the City; and,

FURTHER RESOLVED, the Mayor is hereby authorized to execute any and all documents necessary for the submission of said application to the New York State Office of Community Renewal.

MOTION TO TABLE by Alderman Isabel passed with aye.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-113

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERWOMAN DEROSI

RESOLVED, that the minutes of the Common Council meeting of November 19, 2013 are hereby approved.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
_____ Alderman Isabel _____		
_____ Alderwoman Beekman _____		
_____ Alderwoman DeRossi _____		
_____ Alderman Dybas _____		
_____ Alderman Leggiero _____		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-114

RESOLUTION APPROVING AUDIT

BY: ALDERMAN LEGGIERO

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 Isabel		
Alderwoman Beekman		
Alderwoman DeRossi		
Alderman Dybas		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-115

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: ALDERMAN LEGGIERO

RESOLVED, the Controller is authorized to amend the 2013-2014 budget to budget insurance recovery monies for damage to a fire hydrant as a result of a motor vehicle accident on Forest Avenue as follows:

INCREASE REVENUE

F-2680	Ins. Recoveries	\$1,540.00
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INCREASE EXPENSE

F-8340-1001	Overtime	\$495.47
F-8340-2012	Equip/Supplies	\$ 25.00
F-8340-4000	Contractual	\$194.82
F-8340-4042	Replacement Parts	\$718.51
F-8340-4070	Vehicle Repair	\$106.20

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		

Controller		

Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

**RESOLUTION #13/14-116
RESOLUTION AMENDING BUDGET – ENGINEERING
BY: ALDERMAN LEGGIERO**

RESOLVED, the Controller is authorized to amend the 2013-2014 budget to budget insurance recovery monies for damage to a fire hydrant as a result of a motor vehicle accident on Sanford Avenue as follows:

INCREASE REVENUE

A-2680	Ins. Recoveries	\$2,479.16
G-2680	Ins. Recoveries	\$1,511.15
F-2680	Ins. Recoveries	\$6,517.80

INCREASE EXPENSE

A-5110-1001	Overtime	\$1,591.11
A-5110-2012	Equip/Supplies	\$ 835.21
A-5110-4029	Bldg Repairs	\$ 6.17
A-5110-4075	Blacktop	\$ 43.71
A-5110-4078	Gravel/Sand/Rubble	\$ 2.96
G-8310-1001	Overtime	\$ 424.64
G-8310-4070	Vehicle Repair	\$1,086.51
F-8340-1001	Overtime	\$2,263.16
F-8340-2012	Equip/Supplies	\$ 75.00
F-8340-4000	Contractual	\$ 9.15
F-8340-4042	Replacement Parts	\$2,585.24
F-8340-4070	Vehicle Repair	\$1,094.60
F-8340-4074	Blacktop	\$ 405.15
F-8340-4075	Gravel/Sand/Rubble	\$ 85.50

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-117

RESOLUTION APPROVING AMSTERDAM HOUSING AUTHORITY BUDGET

BY: ALDERWOMAN BEEKMAN

WHEREAS, as New York State Public Housing Law, Article 3, Section 32, provides that the Amsterdam Housing Authority is authorized to employ, “subject to the provisions of the civil service law applicable to the municipality in which it is established, a general manager, a secretary, technical experts and such other officers, agents and employees as it may require, and determine their qualifications, duties and, subject to the approval of the local legislative body, fix their compensation,” and

WHEREAS, the Board of Commissioners of the Amsterdam Housing Authority at its regular meeting on November 20, 2013, approved the AHA staff salaries for 2014, and

WHEREAS, the administrative and maintenance salaries for 2013, equal \$597,209.85 which will not be a charge on the City of Amsterdam,

RESOLVED, that the City of Amsterdam New York Common Council does hereby approve the resolution of the Amsterdam Housing Authority fixing the compensation of it various officers and employees for the year 2014.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-118

RESOLUTION IN SATISFACTION OF MORTGAGE – 190 MARKET STREET

BY: MAYOR THANE

WHEREAS, the City of Amsterdam held a note and mortgage for property of Lang Thi Tran at 190 Market Street, SBL 39.20-1-45, and said mortgage created a contingent liability arising if the purchaser of the property did not follow certain conditions. and

WHEREAS, the conditions were all satisfied and it is necessary to indicate this satisfaction of record,

RESOLVED, the Mayor is authorized to execute the attached Satisfaction of Mortgage for property at 190 Market Street.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Beekman		
Alderwoman DeRossi		
Alderman Dybas		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-119

**RESOLUTION IN FULL RELEASE OF ALL CLAIMS AND DEMANDS FOR
PROPERTY DAMAGE - COONS**

BY: MAYOR THANE

WHEREAS, an insurance claim has been proposed to be settled in the amount of \$11,765.45 for damages to the property of the City of Amsterdam, caused by an incident on or about August 11, 2013 near Taft Place and Roosevelt Road,

RESOLVED, the Mayor is authorized to sign the attached release.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**FULL RELEASE OF ALL CLAIMS AND DEMANDS
PROPERTY DAMAGE**

KNOW ALL BY THESE PRESENT, that I, **City of Amsterdam**, for and in consideration of the sum of **Eleven thousand seven hundred sixty five dollars and 45 cents (\$11,765.45)**, the receipt whereof is hereby acknowledged, does (do) hereby for myself (ourselves), my (our) heirs, executors, administrators, successors and assigns and any and all other persons, firms, employers, corporations, associations, or partnerships release, acquit and forever discharge **Arthur G. Coons III** of and from any and all claims, actions, causes of actions, demands, rights, damages, costs and property damages accrued or unaccrued claims for damages resulting from an incident which occurred on or about **Aug / 11 / 13**, at or near **Taft Place and Roosevelt Road**. It is understood and agreed that this settlement is in full compromise of a doubtful and disputed claim as to both questions of liability and as to the nature and extent of the damages, and that neither this release, nor the payment pursuant thereto, shall be construed as an admission of liability, such as being denied.

It is further understood and agreed that the undersigned relies wholly upon the undersigned's judgement, belief, and knowledge of the nature, extent, effect and duration of said damages and liability thereof and is made without reliance upon any statement or representation of the party or parties hereby released or their representatives.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT.

CAUTION: READ BEFORE SIGNING BELOW.

Signed: .. _____ Dated: _____

Witnesses

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-120

RESOLUTION GRANTING EXTENSION OF SICK LEAVE – DPW

BY: ALDERMAN LEGGIERO

WHEREAS, City employee William Chirico sustained an on-job injury and has requested extended sick leave due to surgery, and

WHEREAS, the grant of extended sick leave pursuant to Article 12 Sick Leave, Section 3 Extended Leave of the collective bargaining agreement has been recommended by the City Engineer,

RESOLVED, Mr. Chirico is hereby granted extended sick leave up to one month as allowed under the CBA provision noted above.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderman Beekman		
Alderman DeRossi		
Alderman Dybas		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-121

RESOLUTION AMENDING BUDGET – RECORDS MANAGEMENT

BY: MAYOR THANE

RESOLVED, the Controller is authorized to amend the 2013-2014 budget to cover additional index fees in the amount of \$5,670 associated with film conversion of vital records of the City of Amsterdam as follows:

DECREASE EXPENSE:

A-1990-4036	Contingency	\$3,175.20 (bal. \$62,621.21)
F-1990-4036	Contingency	\$1,134.00 (bal. \$44,968.29)
G-8110-4036	Contingency	\$ 963.90 (bal. \$112,980.54)
CL-8160-4033	Judgments	\$ 396.90 (bal. \$1,400.00)

INCREASE EXPENSE:

A-1460-4000	Contractual	\$3,175.20
F-8130.4000.52	Contractual	\$1,134.00
G-8110-4000.52	Contractual	\$ 963.90
CL-8160-4000.52	Contractual	\$ 396.90

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
_____ Alderman Isabel		
_____ Alderwoman Beekman		
_____ Alderwoman DeRossi		
_____ Alderman Dybas		
_____ Alderman Leggiero		
_____ Controller	Vacant	
_____ Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 3, 2013**

RESOLUTION #13/14-122

RESOLUTION ACCEPTING DEED IN LIEU OF FORECLOSURE, 124-126 GRAND STREET

BY: ALDERMAN DYBAS

WHEREAS, the owners of 124-126 Grand Street have proposed to transfer said property to the City of Amsterdam in lieu of foreclosure, and

WHEREAS, the City is authorized to accept such a transfer pursuant to Real Property Tax Law §1170,

RESOLVED, the Mayor is authorized to accept a deed in lieu of foreclosure for 124-126 Gand Street.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
NOVEMBER 6, 2013**

REVISED

Ordinance Number 2013-G (to be known as Ordinance Number 2013-6 if adopted)

AN ORDINANCE AMENDING CHAPTER 206 OF THE CODE OF THE CITY OF AMSTERDAM

BY: ALDERMAN ISABEL

WHEREAS, it is necessary to revise the city code to amend Chapter 206 of the code of the City of Amsterdam,

The City of Amsterdam, in Common Council convened, does hereby,

ORDAIN AND ENACT as follows:

Chapters§206 “Snow and Ice Removal” of the code of the City of Amsterdam are hereby amended as indicated below: (underlined text is added and struck through text is to be deleted)

§ 206-23. Clearing.

Every person and corporation owning, occupying or having charge of any lands and premises within the City of Amsterdam shall keep any fire hydrants, the sidewalks, storm drains, and in areas zoned for retail business curbs and gutters, fronting on or adjoining said lands and premises free and clear of snow and ice, for the width and length of said sidewalks, ~~and~~ for the length of said curbs and gutters and for a width of 18 inches from the curbstone line, for a two foot radius around any fire hydrant, and shall clear any blocked storm drain ~~and shall remove by removing~~ the snow and ice therefrom, within 12 hours after a storm depositing the same shall have ceased and before the same shall have attained a depth of 12 inches.

§206-24. Sand and Ashes

It is further ordained that where the snow and ice are so frozen or congealed that they cannot be removed without injury to the sidewalk as above provided, the owner, occupant or person in charge of said lands and premises shall, within 12 hours after said freezing and congealing, strew, cause to be strewn and keep strewn the snow and ice on said sidewalk with sand or ~~ashes~~ other suitable abrasive material so as to make and keep the same safe for public traffic thereon

§206-25. Penalties for Offenses

Any violation of the terms and provisions of this article shall be punishable by a fine of ~~not less than \$2 and not more than \$5~~ not more than \$100 ~~or by imprisonment of not less than two days or more than five days, or by both such fine and imprisonment.~~

MOTION TO TABLE by Alderman Isabel passed with aye. (11/19/13)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderman Dybas		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2013