

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
JANUARY 21, 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, 149, 152, 153, 155
- X. New Business:
 - (a) Resolutions
 - (b) Ordinances Ordinance 2014-"A"
 - (c) Local Laws:
 - (d) Introduction of Ordinances Ordinance 2014-"B"
 - (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 – Public Safety Committee

6:50 pm - Public Hearing – Ordinance "A" of 2014

RESOLUTIONS

Old Business

- | | |
|---|---------------------|
| <i>149. Resolution Appointing Health Ins. Trust Members</i> | <i>Leggiero</i> |
| <i>152. Resolution Regarding Appointments to Boards & Commissions</i> | <i>Hatzenbuhler</i> |
| <i>153. Resolution Regarding Codes Department</i> | <i>Hatzenbuhler</i> |
| <i>155. Resolution Directing Dept. Heads to Itemize Contractual Purchases</i> | <i>Hatzenbuhler</i> |

New Business

- | | |
|--|---------------------|
| 157. RESOLUTION ADOPTING MINUTES | BEEKMAN |
| 158. RESOLUTION AMENDING BUDGET-TRANSPORTATION | LEGGIERO |
| 158. RESOLUTION APPROVING AUDIT | HATZENBUHLER |
| 159. RESOLUTION APPOINTING COMMISSIONER OF DEEDS | LEGGIERO |
| 160. RESOLUTION AMENDING BUDGET – ENGINEERING | LEGGIERO |
| 161. RESOLUTION APPROVING AGREEMENT – WATER & SEWER | LEGGIERO |
| 162. RESOLUTION APPROVING AGREEMENT – MUNICIPAL SOL. | MAYOR |
| 163. RESOLUTION AMENDING BUDGET – ENGINEERING | LEGGIERO |
| 164. RESOLUTION TRANSFERRING PROPERTY TO AIDA | RUSSO |
| 165. RESOLUTION DESIGNATING OFFICIAL NEWSPAPER | HATZENBUHLER |
| 166. RESOLUTION OVERRIDING VETO OF RES. 13/14-150 | BARONE |
| 167. RESOLUTION OVERRIDING VETO OF RES. 13/14-151 | BARONE |

ORDINANCE

- | | |
|---|---------------------|
| Ordinance 2014-A: An Ordinance Amending Chapter 228 of the City Code | HATZENBUHLER |
| Ordinance 2014-B: An Ordinance Amending Chapter 210 of the City Code | RUSSO |

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

RESOLUTION #13/14-149

RESOLUTION APPOINTING MEMBERS OF HEALTH INSURANCE TRUST

BY: ALDERMAN LEGGIERO

WHEREAS, vacancies on the Board of Trustees of Montgomery County Health Insurance Trust for representatives of the City of Amsterdam exist as of January 1, 2014,

RESOLVED, that Matthew A. Agresta, Controller, and Diane Hatzenbuhler, Alderwoman of the 4th ward, are hereby appointed as trustees to the Montgomery County Health Insurance Trust replacing Joseph Isabel and David Dybas.

MOTION TO TABLE by Alderman Barone passed with Aye. Alderwomen Beekman and Hatzenbuhler voted nay. (1/1/14)

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
JANUARY 1, 2014**

RESOLUTION #13/14-152 revised

RESOLUTION REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, there are various boards and commission in the City of Amsterdam which operate with appointed volunteers,

RESOLVED, immediately or retroactively these volunteers must meet the following criteria:

1. Shall be a city resident
2. Shall only serve on two boards or commission at one time

FURTHER RESOLVED, the Mayor shall promptly notify the City Clerk of any vacancy in any appointed position and also notify the City Clerk of any appointment made by the Mayor to any of the various boards and commission in the City of Amsterdam that are mayoral appointments, and

FURTHER RESOLVED, that the City Clerk shall maintain a list of all appointees to various boards and commission in the City of Amsterdam, their respective terms and any vacancies,

FURTHER RESOLVED, the City Clerk shall post all openings on City boards, committees and commissions on the City's web site and notify the news media within 10 days of a vacancy, and

FURTHER RESOLVED, that an individual seeking appointment to a board or commission shall submit a brief resume to the City Clerk for consideration for appointment to any vacancy.

MOTION TO TABLE by Alderman Russo passed with Aye. (1/1/14)

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
JANUARY 1, 2014**

RESOLUTION #13/14-153

RESOLUTION REGARDING CODES DEPARTMENT

BY: ALDERWOMAN HATZENBUHLER

RESOLVED, effective January 1, 2014, all employees of the Codes Department and the Plumbing Inspector shall report directly to the City Engineer and shall remain under his direction.

MOTION TO TABLE by Alderman Russo passed with Aye. (1/1/14)

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
JANUARY 1, 2014**

RESOLUTION #13/14-155(consent)

**RESOLUTION DIRECTING DEPARTMENT HEADS TO ITEMIZE CONTRACTUAL
LINE ITEM PURCHASES**

BY: ALDERWOMAN HATZENBUHLER

RESOLVED, all Department Heads are to submit to the Common Council no later than January 21, 2014 a complete list of purchases made in the .4000 contractual line item including description and quantity for items purchased between July 1, 2013 and December 31, 2013.

MOTION TO TABLE by Alderwoman Hatzenbuhler passed with Aye. (1/1/14)

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
JANUARY 21, 2014**

RESOLUTION #13/14-157

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERWOMAN BEEKMAN

RESOLVED, that the minutes of the Common Council meeting of January 1, 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
JANUARY 21, 2014**

RESOLUTION #13/14-158

RESOLUTION AMENDING BUDGET – TRANSPORTATION

BY: ALDERMAN LEGGIERO

WHEREAS, no money was budgeted to transportation fund for unemployment insurance, and

WHEREAS, there is a payment due that would force the city to incur interest and penalties on the \$13,000 unemployment insurance bill due under the January 21, 2014 if the payment were not approved,

RESOLVED, the Controller is authorized to amend the 2013-2014 budget as follows:

DECREASE EXPENSE

CT-5630-4036	Contingency	\$150.00 (bal. \$7,500)
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INCREASE EXPENSE:

CT-5630-8840	Unemployment Ins.	\$150.00
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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
JANUARY 21, 2014**

RESOLUTION #13/14-159

RESOLUTION APPROVING AUDIT

BY: ALDERMAN 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

	Aye	Nay

Alderman Russo		

Alderman Barone		

Alderman Hatzenbuhler		

Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
JANUARY 21, 2014**

RESOLUTION #13/14-160

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

BY: ALDERMAN LEGGIERO

WHEREAS, the Common Council is authorized by New York State Executive Law §139 to appoint commissioners of deeds, for a term of two years from the date of their appointment,

RESOLVED, the following persons are hereby appointed Commissioners of Deeds for the City of Amsterdam, New York:

Jennifer Goch, 336 Locust Avenue, Amsterdam, NY, City Clerk's Office
Carol Iannotti, 7 Queen Anne Rd, Amsterdam, NY, City Clerk's Office
Michele Szala, 23 Milton Avenue, Amsterdam, NY, Engineering Office
Carol DeJohn, 22 Peter Lane, Amsterdam, NY, Mayor's Office
Matthew A. Agresta, 23 Slater Street, Amsterdam, NY, Controller
Mary M. DeCusatis, 178 Clizbe Ave., Amsterdam, NY, Law Office

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
JANUARY 21, 2014**

RESOLUTION #13/14-161

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: ALDERMAN LEGGIERO

WHEREAS, an insurance check has been received for payment of a motor vehicle accident which damaged a fire hydrant on Sylvia Lane,

RESOLVED, the Controller is authorized to amend the 2013-2014 operating budget as follows:

INCREASE REVENUE:

A-2680.21	Ins. Recovery	\$ 528.20
G-2680	Ins. Recovery	\$5,048.29
F-2680	Ins. Recovery	\$ 434.61

INCREASE EXPENSE:

A-5110-1001	Overtime	\$ 339.48
A-5110-2012	Equip.	\$ 113.12
A-5110-4075	Gravel/Sand/Rubble	\$ 75.00
A-5110-4078	Radios	\$.60
F-8349-1001	Overtime	\$1,887.75
F-8340-4000	Contractual	\$ 3.90
F-8340-4042	Replacement Parts	\$2,604.48
F-8340-4070	Vehicle Repair	\$ 458.78
F-8340-4074	Blacktop	\$ 27.88
F-8340-4075	Gravel/Sand/Rubble	\$ 40.50
G-8130-4070	Vehicle Repair	\$ 434.61

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
JANUARY 21, 2014**

RESOLUTION #13/14-162

RESOLUTION AUTHORIZING AGREEMENT – FLORIDA BUSINESS PARK

BY: ALDERMAN LEGGIERO

WHEREAS, an agreement between the City of Amsterdam, Town of Florida and the County of Montgomery, dated April 1, 2001, provided for construction and financing of certain water and sewer service improvements for the industrial park on Route 5S, and

WHEREAS, the County has made full payment for the improvements and is now required to convey to the City of Amsterdam and Town of Florida ownership of the infrastructure improvements located in their respective municipalities as is summarized in the attached letter from John M. McDonald Engineering, P.C.,

RESOLVED, the Mayor is authorized to sign the attached agreement between the City of Amsterdam, Town of Florida and the County of Montgomery.

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
JANUARY 21, 2014**

RESOLUTION #13/14-163

RESOLUTION AUTHORIZING AGREEMENT – MUNICIPAL SOLUTIONS

BY: MAYOR THANE

WHEREAS, Municipal Solutions Inc. has provided a proposal for continuation of services in connection with various financial advise including: Bond Anticipation Note Borrowings, Long-term Serial Bond Borrowing, Disclosure, Annual Update Document and General Financial Services at cost of \$125 per hour for the length of the 24 month contract,

RESOLVED, the Mayor is authorized to sign the contract with Municipal Solutions, Inc.

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
JANUARY 21, 2014**

RESOLUTION #13/14-164

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: ALDERMAN LEGGIERO

WHEREAS, an insurance check has been received for payment of a motor vehicle accident which damaged a sign on Florida Avenue,

RESOLVED, the Controller is authorized to amend the 2013-2014 budget as follows:

INCREASE REVENUE

A-2680	Ins. Recovery	\$25.47
A-2680.21	Ins. Recovery	\$60.51

INCREASE EXPENSE

A-3010-4045	Street Signs	\$25.47
A-5110-1001	Overtime	\$25.58
A-5110-2012	Equip/Supplies	\$33.85
A-5110-4042	Repl. Parts	\$ 1.00
A-5110-4078	Radio Repairs	\$.08

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
JANUARY 21, 2014**

RESOLUTION #13/14-165

RESOLUTION TRANSFERRING PROPERTY TO AIDA – FORMER ESQUIRE PROPERTY

BY: ALDERMAN RUSSO

WHEREAS, the City of Amsterdam owns certain real property at or in the vicinity of what was formerly known as the MOHASCO Site; and

WHEREAS, the City of Amsterdam and the Amsterdam Industrial Development Agency have been working to develop the site by locating a new manufacturer at the site; and

WHEREAS, the assemblage of certain parcels, including those owned by the city, at this site is necessary to create a suitable building area; and

WHEREAS, The City Engineer has determined that there are no civic engineering concerns which would require retention of these properties;

RESOLVED, that the properties identified below are not required for any municipal purpose other than noted below and may be disposed of;

RESOLVED, that the Mayor is authorized to execute deeds transferring all or a major portion thereof of each the following parcels to the Amsterdam Industrial Development Agency; Montgomery County Tax Identification numbers 40.13-7-2, 40.13-7-6, 40.13-7-10;

RESOLVED, the Mayor is authorized to receive and execute deeds exchanging a portion of the parcel identified by Montgomery Tax Identification number 40.13-7-1 (owned by The Noteworthy Company) as is necessary for this project in exchange for an easement and/or other suitable access granted to The Noteworthy Company to provide tractor trailer access to their remaining lands over the above reference parcels and to subsequently transfer any such exchanged parcel to the Amsterdam Industrial Development Agency for the purpose above;

RESOLVED, that any deeds shall contain such easements as are necessary to maintain unhindered access of the concerned property owners to their individual properties and of the public to the Chuctanunda Creek .

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
JANUARY 21, 2014**

RESOLUTION #13/14-166

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

BY: FULL COUNCIL

RESOLVED, the Recorder is designated as the official newspaper of the City of Amsterdam for the purposes of publishing all official notices of the City, and

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
JANUARY 21, 2014**

RESOLUTION #13/14-167

RESOLUTION OVERRIDING MAYORAL VETO

BY: ALDERMAN BARONE

RESOLVED, the Common Council hereby overrides the Mayor Veto dated January 16, 2014 of Resolution #13/14-150.

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
JANUARY 21, 2014**

RESOLUTION #13/14-168

RESOLUTION OVERRIDING MAYORAL VETO

BY: ALDERMAN BARONE

RESOLVED, the Common Council hereby overrides the Mayor Veto dated January 16, 2014 of Resolution #13/14-151.

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, NEW YORK
COMMON COUNCIL MEETING
JANUARY 1, 2014**

**Ordinance Number 2014-A (to be known as Ordinance Number 2014-1 if adopted)
AN ORDINANCE AMENDING CHAPTER 228-47 OF THE CODE OF THE CITY OF
AMSTERDAM**

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, it is necessary to revise the city code to prohibit parking on the north side for the entire length of Lenox Street.

Proposed amendment as follows: strike though indicates existing text to be removed, underlined text indicates new text to be added

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

ORDAIN AND ENACT as follows:

Chapters§228-17 “Parking prohibited at all times” 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)

§228-47 Schedule XIII: Parking prohibited at All Times

In accordance with the provisions of §228-17, no person shall park a vehicle at any time upon any of the following described streets or parts thereof:

Name of Street	Side	Location
<u>Lenox Street</u>	<u>North</u>	<u>Entire Length</u>

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

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
JANUARY 21, 2014**

Ordinance Number 2014-B (to be known as Ordinance Number 2014-2 if adopted)

AN ORDINANCE AMENDING CHAPTER 219 OF THE CODE OF THE CITY OF AMSTERDAM – TOWING

BY: ALDERMAN RUSSO

WHEREAS, it is necessary to revise the city code to increase weekend towing charges due to increased fuel and labor costs and to parallel fees in neighboring jurisdictions.

The City of Amsterdam, in Common Council convened, does hereby, **ORDAIN AND ENACT** as follows:

Chapter 219 is hereby amended as indicated as follows: (strike through indicates existing text to be deleted, underlined indicates new text to be added)

§219-1. Towing Fees

C. Weekend rate, Friday 5:00 p.m. through Monday 8:00 a.m. ~~-\$100~~ \$125

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014