

**CITY OF AMSTERDAM, NEW YORK  
COMMON COUNCIL MEETING  
MARCH 20, 2012  
7:30 p.m.**

**ORDER OF BUSINESS**

- I. Call to Order
- II. Salute to the Flag
- III. Roll Call
- IV. Moment of Silence
- V. Adoption of Agenda
- VI. Proclamations
- VII. Public Participation
- VIII. Communications  
*Land Bank Information – Steven Strichman, Director of Planning and Economic Development, City of Schenectady*
- 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) Other:
- XI: Adjournment

**6:30 p.m. Recreation Committee followed by Public Safety then Rules of Procedure**

**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, March 6, 2012.**

## RESOLUTIONS

- |  |                 |
|--|-----------------|
| <b>189. RESOLUTION ADOPTING MINUTES</b>  | <b>DEROSS</b>   |
| <b>190. RESOLUTION APPROVING AUDIT</b>   | <b>LEGGIERO</b> |
| <b>191. RESOLUTION AMENDING BUDGET – FIRE DEPARTMENT</b>                                 | <b>ISABEL</b>   |
| <b>192. RESOLUTION TRANSFERRING FUNDS – GOLF</b>   | <b>DEROSS</b>   |
| <b>193. RESOLUTION AUTHORIZING SALE OF SURPLUS EQUIPMENT</b>                             | <b>LEGGIERO</b> |
| <b>194. RESOLUTION AMENDING BUDGET – ENGINEERING</b>                                     | <b>LEGGIERO</b> |
| <b>195. RESOLUTION TRANSFERRING FUNDS – ENGINEERING</b>                                  | <b>LEGGIERO</b> |
| <b>196. RESOLUTION AUTHORIZING AGREEMENT – SOCIAL SERVICES</b>                           | <b>MAYOR</b>    |
| <b>197. RESOLUTION TRANSFERRING FUNDS – PUBLIC WORKS</b>                                 | <b>LEGGIERO</b> |
| <b>198. RESOLUTION TRANSFERRING FUNDS – PUBLIC WORKS</b>                                 | <b>LEGGIERO</b> |
| <b>199. RESOLUTION INSTRUCTING HEALTH INSURANCE TRUST REPRESENTATIVES</b>                | <b>MAYOR</b>    |
| <b>200. RESOLUTION CREATING THE LAND REUTILIZATION CORPORATION OF THE CAPITAL REGION</b> | <b>MAYOR</b>    |

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-189**

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

**BY: ALDERWOMAN DEROSI**

**RESOLVED**, that the minutes of the Common Council meeting of March 6, 2012, prepared by the Amsterdam City Clerk 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: \_\_\_\_\_, 2012

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-190**

**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

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Isabel</u>		
<u>Alderwoman Beekman</u>		
<u>Alderwoman DeRossi</u>		
<u>Alderman Dybas</u>		
<u>Alderman Leggiero</u>		

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

Dated: \_\_\_\_\_, 2012

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-191**

**RESOLUTION AMENDING BUDGET – FIRE DEPARTMENT**

**BY: ALDERMAN ISABEL**

**WHEREAS**, funds have been received from the New York State Department of Health for Fire personnel’s successful completion of Emergency Medical Technician-Paramedic recertification.

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

**INCREASE REVENUE:**

A-14-3099	Bldg Code & Fire Aid	\$500.00
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**INCREASE EXPENSES:**

A-14-3410-4056	Training	\$500.00
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COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-192**

**RESOLUTION TRANSFERRING FUNDS – GOLF COURSE**

**BY: ALDERWOMAN DEROSI**

**WHEREAS**, a transfer of funds is needed to cover a shortage in the gas/diesel budget line,

**RESOLVED**, the Controller is authorized to transfer funds as follows:

**FROM:**

CR 7180-4074	Blacktop	\$6,000.00 (bal. \$9,000.00)
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**TO:**

CR 7180-4049	Gas/Diesel	\$6,000.00
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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: \_\_\_\_\_, 2012

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-193**

**RESOLUTION AUTHORIZING SALE OF SURPLUS EQUIPMENT**

**BY: ALDERMAN LEGGIERO**

**WHEREAS**, the attached list of equipment is no longer needed for operations,

**RESOLVED**, that the equipment is hereby declared surplus equipment, and it is

**FURTHER RESOLVED**, the Mayor is authorized to sell the equipment via an on-line auction service and to execute all contracts in furtherance of this purpose.

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012



The City of Amsterdam  
Department of Public Works  
2 Park Drive  
Amsterdam, NY 12010

Phone: (518) 842-3691  
Voice Mail: (518) 841-4339  
Fax: (518) 843-3614

Raymond Halgas – General Public Works Supervisor  
Ernest Kielbasa – Dispatcher

GOLFCOURSE - MINIMUM BIDS ESTABLISHED BY JAMES DERRICK, GOLF SUPT.

1-JACOBSEN LF2500 fairway mower (2002)	MINIMUM BID \$2,500.00
1-JOHN DEERE 3215A fairway mower (2003)	MINIMUM BID \$1,000.00
1-JOHN DEERE 3215B fairway mower (2002)	MINIMUM BID \$1,000.00
2-JOHN DEERE 2500 triplex mower (2001)	MINIMUM BID \$500.00
1-JOHN DEERE 2653 trim mower (1995)	MINIMUM BID \$1,500.00
1-JOHN DEERE 850 tractor loader & Woods 750 backhoe (1980)	MINIMUM BID \$3,000.00
1-CUSHMAN utility vehicles (1965)	MINIMUM BID \$100.00
1-JACOBSEN GREENS KING IV with power brushes (1987)	MINIMUM BID \$250.00
1-LASTEC 721X gang rotary mower (1990)	MINIMUM BID \$1,000.00
1-PROFLEX gang rotary mower (1998)	MINIMUM BID \$1,000.00
1-JOHN DEERE 3235A fairway mower (1996)	MINIMUM BID \$500.00

RECREATION DEPT

1-JOHN DEERE 850 tractor & 3 point hitch  
1-TORO GROUNDMASTER MOWER -parts only  
1-TROY BUILT riding mower

BUS TRANSPORTATION

1-#26 2002 FORD E450 BUS  
1-#27 2002 FORD E450 BUS

FIRE DEPT

1-1979 INTERNATIONAL PUMPER TRUCK  
1-CHRYSLER BOAT, TRAILER AND 90HP EVINRUDE OUTBOARD MOTOR

POLICE DEPT

1-1997 CHEVROLET ASTRO VAN AWD

1-1997 JEEP CHEROKEE AWD

1-2003 FORD CROWN VICTORIA

PUBLIC WORKS

1-#08A 1991 CHEVROLET C3500 UTILITY TRUCK

1-#12A 1991 CHEVROLET C3500 DUMP TRUCK

1-#23 1994 FORD F 250 FOUR WHEEL DRIVE WITH 8FT.FISHER SNOWPLOW

1-#34 1996 CHEVROLET C2500 CREW CAB PICKUP

1-#56A 1982 CASE MDL780 LOADER BACKHOE (PARTS ONLY)

1-#95 1995 SATURN CAR

2-JUMPIN JACK VIBRATORY TAMPERS

1-HOMELITE PLATE COMPACTOR

LIST SUBJECT TO ADDITIONS AND DELETIONS



The City of Amsterdam  
Department of Public Works  
2 Park Drive  
Amsterdam, NY 12010

Phone: (518) 842-3691  
Voice Mail: (518) 841-4339  
Fax: (518) 843-3614

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Raymond Halgas – General Public Works Supervisor  
Ernest Kielbasa – Dispatcher

The following auction companies provide on line auction services:

ASSET AUCTIONS @ assetnation.com

AUCTIONS INTERNATIONAL @ auctionsinternational.com

COLLARCITYAUCTIONS @ collarcityauctions.com

GOVDEALS @ govdeals.com

HAROFF AUCTION CO @ haroff.com

MUNICIBID @ municibid.com

PUBLIS SURPLUS @ publicsurplus.com

ROY TEITSWORTH INC. @ teitsworth.com

THERE MAY BE OTHER AUCTION COMPANIES THAT DO ONLINE AUCTIONS THAT I HAVE NOT SEEN!

THINGS TO COSIDER BEFORE HIRING AN ONLINE AUCTION CO. TO SELL YOUR SURPLUS ASSETS:

1. Do you have to enter into a one or two year agreement to sell you surplus when it becomes available?
2. What is the cost to the city for their service? A flat fee or a percentage of the sale price?
3. Is the city responsible for taking the pictures and furnishing the descriptions to the auction co or is there a fee involved?
4. Even though the city has last refusal to accept the high bid, should minimum bids be placed on some of the newer equipment from the golf course?
5. Does the auction co. collect the payment from the purchaser or does the city collect the payment, process a bill of sale and provide the necessary paper work to the purchaser?
6. Is the city responsible to assist in load out of purchased items or is it up to the purchaser totally?
7. The online auction co should be able to provide the city with a reference to their success doing online auctions.

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-194**

**RESOLUTION AMENDING BUDGET – ENGINEERING**

**BY: ALDERMAN LEGGIERO**

**WHEREAS**, an insurance reimbursement check has been received for a motor vehicle accident on Perkins & Jewett Streets which damaged a street sign on January 14, 2012,

**RESOLVED**, the Controller is authorized to amend the budget as follows;

**INCREASE REVENUE:**

A-2680	Insurance Recovery	\$122.14
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**INCREASE EXPENSES:**

A-11-3010-4045	Street Signs	\$ 24.20
A-22-5110-4000	Contractual	\$ 97.94

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012





Tel: 800-536-1401 Fax: 800-569-3334  
 11167 Big Tree Road, East Aurora, NY 14052  
 FEID # 32-003-8079

# INVOICE

**Bill To:**

City of Amsterdam  
 61 Church Street  
 Amsterdam, NY 12010  
 Montgomery County

DATE	INVOICE #	TERMS
3/6/2012	22345	Due on receipt

<b>AUCTION:</b>	3-1-12 Madison County II
<b>PHONE:</b>	518-841-4339
<b>FAX:</b>	518-8543-3614

Customer Resale No.	
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Item Description	Amount				
Lot #A1 - Snow Blade Buyers Premium = 10%  MUST contact Russ Hammond at 315-361-8409 to arrange for pickup. Item located at Madison County Dept. of Solid Waste, Buyea Road, Canastota, NY. Payment DUE Within FIVE (5) business days.  ANY MERCHANDISE LEFT ON PREMISES AFTER TEN (10) BUSINESS DAYS WILL REVERT BACK TO POSSESSION OF THE SELLER, WITH NO REFUND ISSUED.	3,650.00 365.00				
The "Bill To:" Section of this invoice is what will go on the back of your title. Please let us know if you need this info changed.	<table border="1"> <tr> <td><b>Invoice Total</b></td> <td>\$4,015.00</td> </tr> <tr> <td><b>Balance Due</b></td> <td>\$4,015.00</td> </tr> </table>	<b>Invoice Total</b>	\$4,015.00	<b>Balance Due</b>	\$4,015.00
<b>Invoice Total</b>	\$4,015.00				
<b>Balance Due</b>	\$4,015.00				
<i>Your bids have been approved, and payment is now due. Please remit your payment to our office within five (5) business days. The pickup contact for these items is located in the body of your invoice. You may make pickup arrangements once we receive your payment. You must provide a copy of this invoice stamped "PAID" in order to obtain your merchandise.</i>					

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-196**

**RESOLUTION AUTHORIZING AGREEMENT – SOCIAL SERVICES**

**BY: MAYOR THANE**

**WHEREAS**, the Montgomery County Department of Social Services wishes to enter into an agreement with the City of Amsterdam to act as a worksite sponsor to provide work for recipients of Social Services Assistance,

**RESOLVED**, the Mayor is authorized to sign the attached agreement with the Montgomery County Department of Social Services as a worksite sponsor.

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012



Montgomery County Department of Social Services

BROADWAY, P.O. BOX 745 · FONDA, N.Y. 12068-0745 · PHONE (518) 853-4646  
FAX (518) 853-8327

Michael McMahon  
Commissioner

**AGREEMENT WITH WORKSITE SPONSOR AGENCY**

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 2012, between Montgomery County Department of Social Services ( hereafter “ Department”), Broadway, Fonda, NY, 12068 and

**CITY OF AMSTERDAM, 61 Church Street, Amsterdam, New York 12010**

(Sponsor Agency) (Address)

WHEREAS, the Department is authorized, pursuant to (Title 9-B of the Social Services Law of the State of New York for **Public Assistance Employment Programs**; and/or Part 261 – **Ensuring that Recipients Work**, Title 45, Code of Federal Regulations for Public Welfare,) to provide for the establishment of public work experiences for the assignment of employable persons in receipt of public assistance, which work experience may also include the performance of work in the operation of or in an activity of a non-profit agency or institution pursuant to contract with the Department, and

WHEREAS the **CITY OF AMSTERDAM** (Agency)

(Hereinafter designated as the Sponsor) desires to provide work for recipients of (Safety Net Assistance or Family Assistance) under a contract complying with such provisions of law and regulations;

Now, therefore, in consideration of the premises it is agreed as follows:

1. The Department shall assign the Sponsor employable recipients of public assistance (hereinafter “participants”) to whom the Sponsor shall assign work in accordance with the provisions of this Agreement and applicable law and regulations.
2. The work to be performed by such participants for the sponsor may include but is not limited to maintenance, secretarial, general clerk, stock room attendant, or parking lot attendant. The work assignment shall maintain or develop new skills which would lead the participant to self-sufficiency.
3. Such work shall be performed at the Sponsor’s office at 61 Church Street and at various locations within the municipal boundary of the City of Amsterdam, or at such other locations as shall be mutually agreed upon between the Department and the Sponsor.
4. Participants shall receive credit for work performed for the Sponsor at the greater of Federal or State minimum wage. No participants shall be required to work for more than the number of days necessary to earn an amount equal to his or her public assistance grant or for more than eight (8) hours in a day, or for more than 40 hours in any one

week, or for more than the customary full-work week of the Sponsor if that be less than 40 hours per week. The Department will advise the Sponsor as to the number of mandatory work hours for each participant for each month, based upon the rate specified in this paragraph.

5. The sponsor shall comply with Social Service Law § 336-e.
6. Appropriate standards of health, safety and other work conditions will be established and maintained to ensure that participants are adequately protected against hazards or activities which may adversely affect their health.
7. Participants will be required to perform only those physical activities which are within their physical capabilities.
8. The sponsor will maintain time records with respect to all participants, adequate to meet the needs of the Department, which shall be furnished to the Department weekly. Such time records can include the Sponsors' name, the participant's name, Social Security Number and Social Services Case number, the type of work performed, the period covered by the report, the exact time that the participant was on the job, and the applicable hourly rate credit specified in paragraph 4 of this Agreement.
9. There will be no discrimination on the grounds of age, race, creed, color, national origin, or sex, as directed in Section 385.10 of the New York State Services Law.
10. Each participants work will be so scheduled as to make time available for him or her to report to the State Job Service and to look for employment, as well as necessary time to meet with workers from the Department. The Department will attempt to make participants available to the Sponsor on days other than their normal State Job Service reporting days. Where such scheduling is not practical, or for any other job seeking requirements, released time to accomplish those purposes shall be allowed by the Department and provided to the participants.
11. All participants must be covered by Workers Compensation coverage, in conformity with the Workers Compensation Law of the State of New York.
12. The Sponsor shall promptly notify the Department of a participant's absence (whether for illness or otherwise), except when such absence is on a pre-planned basis approved by the Department. Such notification shall include prompt telephone notice to the Department followed by written confirmation, if requested. The Sponsor shall report any injury to or illness of any participant.
13. Each participant shall work under the supervision of a "Department Head" of the Sponsor. These supervisors will cooperate in reviewing performance and attitude of all participants with a representative of the Department at convenient intervals.
14. An allowance for child care and/or transportation will be provided to participants, either directly or by reimbursement. Those who require public transportation will be supplied bus tokens by the Department for travel between their home and the Sponsors place of business. For those participants who operate their own automobiles, mileage reimbursement will be paid by the Department. Participants shall not be required to travel an unreasonable distance from their home for the purpose of participating in a work experience assignment.

15. If the work to be performed by the participants requires any special clothing or specific tools or equipment, they shall be provided by the Sponsor.
16. It is understood that some participants may be assigned to do work involving the operation of a motor vehicle. The Sponsor shall provide adequate liability insurance for such motor vehicles which shall cover the participants who may be operating on the behalf of the Sponsor. Only properly licensed participants shall be assigned to such duties.
17. The Sponsor may discharge any participant at will, provided that the Sponsor shall furnish the Agency with an evaluation of the participant's work performance and any other reasons for the termination.
18. The Sponsor may offer full –time paid employment to any participant provided the Sponsor furnishes written notice of such offer, and the participant's acceptance or rejection thereof, to the Department, including details to job description, wages and date of employment.
19. This agreement shall take effect as of \_\_\_\_\_, \_\_\_\_\_, and may be terminated at any time by either party upon 30 days written notice by registered or certified mail, return receipt requested.
20. This agreement shall not be modified except by a further written agreement signed by both parties.

In witness thereof, the parties have executed this agreement on the day and year first mentioned.

BY: \_\_\_\_\_  
Commissioner, Montgomery County  
Department of Social Services

BY: \_\_\_\_\_  
Sponsor Agency

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-197**

**RESOLUTION TRANSFERRING FUNDS – PUBLIC WORKS**

**BY: ALDERMAN LEGGIERO**

**WHEREAS**, a transfer of funds are needed to cover the cost of a stainless steel base and associated equipment for the material spreader on truck #18,

**RESOLVED**, the Controller is authorized to transfer funds as follows:

**FROM:**

A-24-5142-4080	Salt	\$4,247.60 (bal. \$18,550.31)
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**TO:**

A-24-5142-4000	Contractual	\$ 850.00
A-24-5142-4042	Replacement Parts	\$3,397.60

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012

# LOUGHBERRY MFG. CORP.

Loughberry Mfg. Corp.  
249 Excelsior Ave.  
Saratoga Springs, NY 12866

Phone: 518-584-4400  
Fax: 518-584-6630  
www.loughberry.com

Date: 03/13/12  
To: CIO Amsterdam DFW  
Attention: Ray H.  
From: Matt Mollnow  
Number of Pages (including this cover): 2

4244842: 4000 LABOR \$ 850.<sup>00</sup>  
4244842: 4000 REEL PARTS \$ 3397.60  
\$ 4247.60

COMPARED NEW QUOTE OVER \$9,000.00

Ray,  
Attached is your updated quote on the 9' Flash Base  
I did the best I could to hold pricing.  
Please let me know if you have any questions.  
Thanks!  
Matt



**Loughberry Mfg. Corp.**  
**249 Excelsior Avenue**  
**Saratoga Springs, NY, 12866**  
**Phone: 518-584-4400 Fax: 518-584-6630**

<b>Proposed To:</b>		<b>Proposal # 031312MM3</b>
City of Amsterdam Department of Public Works	Phone #1	518-841-4339
	Phone #2	518-857-7888
Attn: Raymond Halgas (General Public Works Supervisor)	Fax	518-843-3614

Loughberry Mfg. is pleased to quote the following equipment:

Amsterdam Flash Sander Fabricated Base – SS  
 Overall Length: 9'  
 Construction: 3/16" Type 304 Stainless Steel  
 Painted: Unpainted Stainless Steel

Your total job cost from Saratoga Springs, NY: **\$1,009.90 each**  
 Delivery Approx: **5 to 6 weeks ARO**  
 Customer Pickup **N/C**

Weld Supplied Stainless Steel Channels (QTY of 3) to Flash Base, add: **+\$170.00**  
 Stainless Steel Pockets for Side Gussets (installed), add: **+\$453.00**

**Idler/Take Up/Chain Parts:**

Bearing Mounting Plates (23908-2 REFERENCE) - \$73.90 EACH / EXTENDED: \$147.80  
 Take Up Rod (13505-2 REFERENCE) - \$21.10 EACH / EXTENDED: \$42.20  
 Idler Roller (23907-1 REFERENCE) - \$139.30  
 Take Up Bearing (21670-2 REFERENCE) - \$40.60 EACH / EXTENDED: \$81.20  
 Take Up Spring (21275-4 REFERENCE) - \$22.40 EACH / EXTENDED: \$44.80  
 Bearing Mounting Plate (25105-1 REFERENCE) - \$9.90 EACH / EXTENDED: \$19.80  
 Take Up Nut (28664 - REFERENCE) - \$3.30 EACH / EXTENDED: \$6.60  
 Conveyor Chain (31204-11 - REFERENCE) - \$735.54  
 Drive Gearbox Shaft (13715-1 - REFERENCE) - \$450.10 *SHIPPED LOOSE*  
 Drive Sprockets (11924-1 - REFERENCE) - \$119.60 EACH / EXTENDED: \$239.20 *SHIPPED LOOSE*  
 Key for Sprocket (12374-2 - REFERENCE) - \$3.70 EACH / EXTENDED: \$7.40 - *SHIPPED LOOSE*  
 Drive Shaft Bearing (21670-2 - REFERENCE) - \$40.60 - *SHIPPED LOOSE*

**TOTAL: +\$1,934.70 + Labor to Install (\$85.00 Per Hr x 8 HRS) \$680.00 = \$2,614.70**

**GRAND TOTAL FOR ALL ITEMS ABOVE: \$4,247.60**

**SPECIAL NOTES:**

Top "Chain Shield" bend will be skip welded, not bent (3")  
 Template must be dropped off @ Factory prior to build  
 All holes will be burned for gearbox & idler mounting along with any mounting holes as required.

Thank you,

Matthew J. Mollnow - Marketing / Inside Sales - Loughberry Mfg. Corp.

This Proposal is Valid for 30 Days from Date of Issue



**CITY OF AMSTERDAM  
REQUEST FOR RESOLUTION**

**DATE:** March 13, 2012

**REQUESTED BY:** Raymond J. Halgas, General Public Works Supervisor **PHONE:** 841-4339

**SPONSORED BY:** Alderman Leggiero

DESCRIBE WHY THIS RESOLUTION IS NECESSARY. PLEASE PROVIDE ENOUGH INFORMATION TO ADEQUATELY INFORM THE COMMON COUNCIL AND ATTACH ANY SUPPORTING DOCUMENTATION.

Please prepare a resolution to transfer \$18,550.31 from A-24-5142-4080 to A-22-5110-4074. The purpose of this

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transfer is to cover blacktop. Since the 9/01/11 floods, we were not able to purchase blacktop from Cushing Stone.

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We needed to purchase from Callanan Ind. & King Road Material which was not under Mont. Co. Bid which was at

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Least \$10.00/ton higher which depleted our Blacktop line. When the plant opens in the spring, we will not have

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Enough money to make blacktop purchases through June 30, 2012.

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DOES THE RESOLUTION REQUEST REQUIRE FUNDING?  YES  NO

HAS THE FUNDING BEEN REVIEWED BY THE CONTROLLER:  YES  NO

**TRANSFER OF FUNDS REQUIRE THE FOLLOWING INFORMATION:**

DEPARTMENT REQUESTING TRANSFER: ENGINEERING/PUBLIC WORKS

FROM:

Acct No. A-24-5142-4080 Acct. Name SALT Amt. \$18,550.31 Balance \$0.00 *RW 3/14/13*

Acct No. \_\_\_\_\_ Acct. Name \_\_\_\_\_ Amt. \$ \_\_\_\_\_ Balance \_\_\_\_\_

TO:

Acct No. A-22-5110-4074 Acct. Name Blacktop Amt. \$18,550.31

**DEADLINE: REQUESTS MUST BE RECEIVED BY CORPORATION COUNSEL'S OFFICE NO LATER THAN 12:00 NOON ON THE WEDNESDAY BEFORE THE REGULAR COUNCIL MEETING AND AT LEAST THREE DAYS BEFORE A SPECIAL COUNCIL MEETING.**

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-199**

**RESOLUTION INSTRUCTING HEALTH INSURANCE TRUST REPRESENTATIVES**

**BY: MAYOR THANE**

**WHEREAS**, the Montgomery County Board of Supervisors voted to instruct its representatives to windup the operation of the Montgomery County Health Insurance Trust by resolution No. 68 of 2012, on February 28, 2012, and

**WHEREAS**, the City of Amsterdam is the only other participant in the Montgomery County Health Insurance Trust, it is therefore

**RESOLVED**, that City of Amsterdam hereby instructs its representatives to the Montgomery County Health Insurance Trust to take all steps necessary to wind up the operations of the trust, account for trust operations and properly distribute any reserve funds to the participating municipalities.

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012

**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
MARCH 20, 2012**

**RESOLUTION #11/12-200**

**RESOLUTION CREATING THE LAND REUTILIZATION CORPORATION OF THE CAPITAL REGION**

**BY: MAYOR THANE**

**WHEREAS**, the City of Amsterdam recognizes the negative effects vacant, abandoned and tax-delinquent properties have on the social and economic vitality of communities, surrounding properties, and neighborhoods in general; and

**WHEREAS**, the City of Amsterdam further recognizes that the existence of the vacant, abandoned and tax-delinquent properties forces a municipality to absorb the financial losses related to unpaid school, county and city taxes as well as the increased costs of fire and police response to these areas; and

**WHEREAS**, New York State has enacted the Land Bank Act under Article 16 of the New York State Not-For-Profit Corporation Law in an effort to provide municipalities with the necessary tools to alleviate social and financial burdens that vacant and abandoned properties impose on these units of government;

**RESOLVED**, that the City of Amsterdam joins in creation of the Land Reutilization Corporation of the Capital Region as defined by City of Schenectady Ordinance 2012-02 and amended by Ordinance 2012-03, and subject to the proposed Certificate of Incorporation, all of which are hereto attached; and

**FURTHER RESOLVED**, that the City of Amsterdam appoints to the board of the said Land Reutilization Corporation, **for a term of one year and for a term of three years**, with such terms commencing on the date of this resolution; and

**FURTHER RESOLVED**, that the Common Council of Amsterdam authorizes the Mayor to execute all necessary agreements with the City of Schenectady, the Land Reutilization Corporation of the Capital Region, and other participating municipalities to establish and participate in the Land Reutilization Corporation of the Capital Region.

COMMON COUNCIL  
City of Amsterdam, NY

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

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

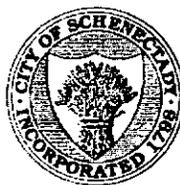
Dated: \_\_\_\_\_, 2012



Certificate of  
Incorporation - propo



2nd Lank Bank  
Ordinance 2012-03 di



**CITY COUNCIL  
SCHENECTADY, NEW YORK**

**ORDINANCE NO. 2012-02**

Councilmember Ms. Perazzo

offered the following:

**AN ORDINANCE Creating the Land Reutilization Corporation of the Capital Region.**

BE IT ENACTED, by the Council of the City of Schenectady, in regular meeting convened, Chapter 72 of the Administrative Code of the City of Schenectady is added as follows:

**Chapter 72, LAND REUTILIZATION CORPORATION OF THE CAPITAL REGION**

**§ 72-1 Legislative Intent.**

The City of Schenectady recognizes the negative effects vacant, abandoned and tax-delinquent properties have on the social and economic vitality of communities, surrounding properties, and neighborhoods in general. It further recognizes that the existence of the vacant, abandoned and tax-delinquent properties forces a municipality to absorb the financial losses related to unpaid school, county and city taxes as well as the increased costs of fire and police responses to these areas.

It is the intent of this legislation to provide pro-active tools to mitigate costs, spur investment and improve property values within the land bank area. The resulting decreases in delinquent taxes and emergency response costs will benefit the City financially as well as improve quality of life of residents in those areas where abandonment is successfully reversed.

It is the further intent of this legislation to provide a tool to other municipal entities in the Capital Region of the State of New York (said region being comprised of the Counties of Schenectady, Albany, Fulton, Montgomery, Rensselaer, Saratoga and Schoharie) allowing them to become a member of the LAND REUTILIZATION CORPORATION OF THE CAPITAL REGION and benefit from the anticipated economies of scale for planned activities.

**§ 72-2 Definitions.**

For the purpose of this chapter, certain terms, words and phrases are herein defined.

**CITY OF AMSTERDAM, NEW YORK**

**COMMON COUNCIL MEETING**

**MARCH 20, 2012**

**LOCAL LAW #1 OF 2012- A LOCAL LAW REVISING CITY CODE CHAPTER 228  
ARTICLE V – VEHICLE WEIGHTS AND DIMENSIONS (For Introductory Purposes)**

**BY: MAYOR THANE**

**BE IT ENACTED** by the Common Council of the City of Amsterdam as follows:

The Code of the City of Amsterdam Chapter 228 Article V is hereby amended.

**SECTION 1. PURPOSE AND LEGISLATIVE INTENT.**

The intent of these amendments is to eliminate ambiguity in the penalty structure and to make the article consistent with Vehicle and Traffic Law §385.

**SECTION 2. – SUBSTANTIVE PROVISIONS.**

Code of the City of Amsterdam Chapter 228 Article V is hereby amended as follows: (strike through indicates existing text to be removed, underline text indicates new text to be added)

ARTICLE V, Vehicle Weights and Dimensions

§ 228-33. Restrictions.

No person shall operate or move or cause or knowingly permit to be operated or moved on any highway or bridge thereon, within the City limits, any vehicle or combination of vehicles of a size or weight exceeding the limitations provided for in this section. ~~Except as otherwise specifically provided in Subsection N of this section, no person shall operate or move or cause or knowingly permit to be operated or moved on any highway or bridge thereon, within the city, any vehicle or combination of vehicles of a size or weight exceeding the limitations provided for in the rules and regulations of the Police Department of the City of Amsterdam adopted pursuant to this section.~~

A. Vehicles widths.

(1) The width of a vehicle, inclusive of load, shall be not more than 96 inches, plus safety devices, except that the maximum width of a vehicle, inclusive of load, shall be 102 inches, plus safety devices, on any qualifying or access highway. The maximum width of a vehicle, inclusive of load, shall not be more than 102 inches, plus safety devices, on any other highway with traffic lanes designed to be a width of 10 feet or more.

(2) The provisions of Subsection A(1) of this section shall not apply to vehicles and implements or combinations thereof, not over 13 feet in width and used solely for farm purposes, during the period from sunrise to sunset, provided that at least two red flags not smaller than 24 inches square be displayed on the left front and rear of each vehicle or implement or combination thereof in such a manner as to be clearly visible from the front and rear for a distance of at least 500 feet. However, no such vehicles, implements or combinations thereof shall be operated on any highway after 10:00 a.m. on any Saturday, Sunday or legal holiday, except for trips of two miles or less, nor upon any highway at any time on which operation is prohibited by order of the Amsterdam Police Department.

(3) The provisions of Subsection A(1) of this section shall not apply to vehicles and implements or combinations thereof not over 13 feet in width and designed and intended for use solely for farm purposes when owned or in the possession of a dealer in farm implements and equipment, including transportation of such vehicles, implements and combinations thereof as a load on another vehicle, such vehicle and load not to exceed 13 feet in width, during the same period and under the same conditions and restrictions as set forth in Subsection A(2) of this section.

(4) The provisions of Subsection A(1) of this section shall not apply to omnibuses or buses used solely for the transportation of children to and from school, but the width of such omnibuses shall not exceed 98 inches.

(5) Notwithstanding the provisions of Subsection A(1) of this section, the maximum width for omnibuses or buses having a carrying capacity of more than seven passengers shall not exceed 102 inches.

(6) Notwithstanding the provisions of Subsection A(1) of this section, racks for carrying hay, straw or unthreshed grain may have a width of 10 feet at the top of the rack. In no case shall the width at the

base of the rack exceed 102 inches, nor shall the width of a rack exceed 102 inches at any portion thereof while on any qualifying highway or access highway.

B. The height of a vehicle from underside of tire to top of vehicle, inclusive of load, shall be not more than 13 1/2 feet. Any damage to highways, bridges or highway structures resulting from the use of a vehicle exceeding 13 feet in height where such excess height is the proximate cause of the accident shall be compensated for by the owner and operator of such vehicle.

C. Vehicle length.

(1) The length of a single vehicle, inclusive of load and bumpers, shall be not more than 40 feet unless otherwise provided in this subsection.

(2) The length of a semitrailer or trailer shall not exceed 48 feet; provided, however, that the length of any trailer or semitrailer being operated in combination with another trailer or semitrailer shall not exceed 28 1/2 feet.

(3) The length of buses having a carrying capacity of more than seven passengers shall not exceed 40 feet, except that the length of articulated buses shall not exceed 62 feet.

(4) The provisions of this subsection shall not apply to fire vehicles.

D. Length of combination vehicles.

(1) The total length of a combination of vehicles, inclusive of load and bumpers, shall not be more than 65 feet.

(2) The provisions of Subsection D(1) of this section shall not apply to:

(a) A combination of vehicles being operated on any qualifying highway or access highway.

(b) Vehicles of a corporation which is subject to the jurisdiction of the Interstate Commerce Commission, the Public Service Commission or other regulatory body and which are used in the construction, reconstruction, repair or maintenance of its property or facilities, provided that any such vehicle complies with the safety requirements of the laws and regulations of the United States and of this state pertaining to over-length vehicles.

(c) Vehicles hauling poles, girders, columns or other similar objects of great length, provided that any such vehicle complies with the safety requirements of the laws and regulations of the United States and of this state pertaining to such over-length vehicles.

(d) Fire vehicles.

(e) A vehicle or combination of vehicles which is disabled and unable to proceed under its own power and is being towed for a distance not in excess of 10 miles for the purpose of repairs or removal from the highway.

(f) Stinger-steered automobile transporters, while operating on qualifying and access highways. Such vehicles shall not, however, exceed 65 feet exclusive of an overhang of not more than three feet on the front and four feet on the rear of the vehicle.

(3) Notwithstanding the provisions of Subsection D(1) of this section, an overhang of not more than three feet on the front and four feet on the rear of an automobile transporter or stinger-steered automobile transporter shall be permitted.

E. In determining the number of wheels and axles on any vehicle or combination of vehicles within the meaning of this section, only two wheels shall be counted for each axle, and axles which are less than 46 inches apart, from center to center, shall be counted as one axle. However, in the case of multiple tires or multiple wheels, the sum of the widths of all the tires on a wheel or combination of wheels shall be taken in determining tire width.

F. The weight per inch width of tire on any one wheel of a single vehicle or a combination of vehicles equipped with pneumatic tires, when loaded, shall be not more than 800 pounds.

G. The weight on any one wheel of a single vehicle or a combination of vehicles, equipped with pneumatic tires, when loaded, shall be not more than 11,200 pounds.

H. The weight on any one axle of a single vehicle or a combination of vehicles, equipped with pneumatic tires, when loaded, shall be not more than 22,400 pounds.

I. The weight on any two consecutive axles of a single vehicle or a combination of vehicles, equipped with pneumatic tires, when loaded, and when such axles are spaced less than eight feet from center to center, shall be not more than 36,000 pounds, except where axles are spaced eight feet or greater, but less than 10 feet, the weight on those two axles shall not exceed that permitted by Subsection J(2) of this section and, in addition, shall not exceed 40,000 pounds. Axles are to be counted as provided in Subsection E of this section.

J. A single vehicle or a combination of vehicles having three axles or more and equipped with pneumatic tires, when loaded, may have a total weight on all axles not to exceed thirty-four thousand pounds, plus one thousand pounds for each foot and major fraction of a foot of the distance from the center of the foremost axle to the center of the rearmost axle. Axles are to be counted as provided in

Subsection E of this section. In no case, however, shall the total weight exceed 80,000 pounds. For any vehicle or combination of vehicles having a total gross weight less than ~~71,000~~ 34,000 pounds, the higher of the following shall apply:

(1) The total weight on all axles shall not exceed 34,000 pounds, plus 1,000 pounds for each foot and major fraction of a foot of the distance from the center of the foremost axle to the center of the rearmost axle; or

(2) The overall gross weight on a group of two or more consecutive axles shall not exceed the weight produced by application of the following formula:

$$W = 500 [(L \times N)(N - 1)(12 \times N) + 36] \text{ ---}$$
$$W = 500 [(L \times N)/(N - 1) + (12 \times N) + 36] \text{ ---}$$

Where:

W = Overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds.

L = Distance in feet from the center of the foremost axle to the center of the rearmost axle of any group of two or more consecutive ~~axles~~ angles.

N = Number of axles in group under consideration, except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds, each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is ~~36~~ 35 feet or more.

(3) For any vehicle or combination of vehicles having a total gross weight of 71,000 pounds or greater, Subsection J(2) shall apply to determine maximum gross weight which is permitted hereunder.

J-a (1) Notwithstanding the provisions of subdivisions G, H, I, J, K and L of this section, the calculation of weight pursuant to such subdivisions shall exclude the actual weight, not to exceed four hundred pounds, of a fully-functioning idle reduction device installed on a vehicle or combination of vehicles that are subject to such subdivisions, provided that the operator of such vehicle: (i) maintains written certification of the actual weight of such device and acceptable proof that it is fully functional; and (ii) provides such certification and proof, upon request, to a law enforcement officer or any other officer or employee authorized to enforce this section. Acceptable proof of the functionality of such device shall consist of written certification from the manufacturer of such idle reduction device, physical demonstration, or any other documentation acceptable to the commissioner of transportation as may be set forth in regulations promulgated by such commissioner after consultation with the commissioner of environmental conservation.

(2) For the purposes of this subdivision, the following terms shall have the following meanings: (i) "auxiliary power unit" shall mean an integrated system that (A) provides heat, air conditioning, engine warming, or electricity to components on a vehicle which is subject to the provisions of this section and (B) is certified under part eighty-nine of title forty of the code of federal regulations (as may from time to time be amended) as meeting applicable emission standards; and (ii) "idle reduction device" shall mean an auxiliary power unit or other technology that is used to reduce long-duration idling (as such term is defined in paragraph seven of subdivision (a) of section 16104 of the United States code as may from time to time be amended) and allows for the main drive engine or auxiliary refrigeration engine to be shut down.

K. A vehicle or combination of vehicles equipped with any solid rubber tires shall not have weights more than 80% of those permitted in this section for pneumatic tires.

L. Motor vehicles or vehicles drawn by motor vehicles when equipped with metal tires shall not have weights more than 40% of those permitted in this section for pneumatic tires.

M. For the purpose of this section, the width of pneumatic tires shall be ascertained by measuring the greatest width of the tire casing when tire is inflated. The width of solid rubber tires shall be ascertained by measuring the width of the tire base channel or between the flanges of the metal rim, provided that no vehicle equipped with solid rubber tires shall be operated upon a public highway in the City of Amsterdam, which has at any point less than one inch of rubber above the top or beyond the flange or rim. The width of metal tires shall be ascertained by measuring the width of contact of the tire with the road surface.

N. No person shall operate or move a vehicle or a combination of vehicles over, on or through any bridge or structure on any highway if the weight of such vehicle, or combination of vehicles, and load, is greater than the posted capacity of the structure or exceeds the height of the posted clearance as shown by an official sign.

O. Except as provided in Subsection P of this section, the violation of the provisions of this section ~~by the operator of a vehicle which exceeds the limitations provided for in the rules and regulations of the Amsterdam Police Department~~ shall be punishable by a fine of not less than \$200 nor more than \$500 or

by imprisonment for not more than 30 days, or by both such fine and imprisonment for the first offense; by a fine of not less than \$500 nor more than \$1,000 or by imprisonment for not more than 60 days, or by both such fine and imprisonment, for the second or subsequent offense, provided that a sentence or execution thereof for any violation under this subdivision may not be suspended.

P. Penalties for offenses.

(1) A violation of the provisions of Subsection H, I or J of this section by any vehicle or combination of vehicles whose weight exceeds the weight limitations as set forth in this section, or a violation of the weight limitations specified by permit issued pursuant to subdivision fifteen of Vehicle and Traffic Law §385 shall be punishable by fines levied on the registered owner of the vehicle or vehicles, whether at the time of the violation the vehicle was in the charge of the registered owner or his agent or lessee in accordance with the following schedule:

Percent of weight (percentage)	of	excess weight	Amount of fine (dollars)
greater than	less than or equal to	plus \$	for
0	2.0		150
2.0	4.0		300
4.0	6.0		450
6.0	7.0		525
7.0	8.0		600
8.0	10.0		750
10.0	12.0		950
12.0	14.0		1,150
14.0	16.0		1,350
16.0	18.0		1,550
18.0	20.0		1,750
20.0	22.0		1,950
22.0	24.0		2,150
24.0	26.0		2,350
26.0	28.0		2,550
28.0	30.0		2,750
30.0	32.0		2,950
32.0	34.0		3,150
34.0	36.0		3,350
36.0	38.0		3,550
38.0	40.0		3,750
40.0		3,750	
or greater		plus \$ 125	for
	each	percent	
		over 40	percent

(NOTE: Where the total weight, axle weight or axle grouping weight is greater than seven percent including any applicable enforcement scale tolerance in excess of the limits specified by a permit, the permit shall be deemed voided and then the amount of fine shall be determined in accordance with the maximum weight which would have been in effect for the operation of such vehicle if the permit to exceed such maximum weight had not been issued.

Excess Total Weight (pounds)	Amount of Fine
0 to 2,000	\$50
2,000 to 3,000	\$75
3,000 to 4,000	\$100
4,000 to 5,000	\$200
5,000 to 6,000	\$300
6,000 to 7,000	\$400
7,000 to 8,000	\$500
8,000 to 9,000	\$600
9,000 to 10,000	\$700
10,000 to 15,000	\$1,200
15,000 to 20,000	\$1,700
20,000 to 25,000	\$2,200

<del>25,000 to 30,000</del>	<del>\$2,700</del>
<del>30,000 and over</del>	<del>\$0.06 for each pound in excess of 30,000</del>

~~(NOTE: Where the excess total weight is greater than 10,000 pounds in excess of limits specified by a permit, the permit shall be deemed voided and then the amount of fine shall be determined in accordance with the maximum weight which would have been in effect for the operation of such vehicle if the permit to exceed such maximum weight had not been issued.)~~

(2) ~~A violation of the provisions of Subsections H or I of this section by any vehicle or combination of vehicles whose weight exceeds the weight limitations as set forth in this section shall be punishable by fines levied on the registered owner of the vehicle or vehicles, whether at the time of the violation the vehicle was in the charge of the registered owner or his agent or lessee, in accordance with the following schedule:~~

<del>Percentage of Excess Weight</del>	<del>Amount of fine</del>
<del>0 to 5.0</del>	<del>\$100</del>
<del>5.0 to 10.0</del>	<del>\$200</del>
<del>10.0 to 15.0</del>	<del>\$350</del>
<del>15.0 to 20.0</del>	<del>\$600</del>
<del>20.0 to 25.0</del>	<del>\$1,000</del>
<del>25.0 to 30.0</del>	<del>\$1,600</del>
<del>30.0 and over</del>	<del>\$2,450</del>

~~(NOTE: Where the excess axle or axles weight is greater than 10% in excess of the limits specified by a permit, the permit shall be deemed voided and then the amount of fine shall be determined in accordance with the maximum weight which would have been in effect for the operation of such vehicles if the permit to exceed such maximum weight had not been issued.)~~

(3) ~~In connection with the weighing of a vehicle or combination of vehicles, if it is found that there is a violation of Subsection J and also of Subsection H or I or both Subsections H and I of this section, there shall be a single fine imposed and the maximum amount of such fine shall not exceed the highest fine that could be imposed under Subsection P(1) of this section.~~

(4) ~~Notwithstanding Subsection P(1) of this section, a violation of the provisions of Subsection J of this section or of the provisions of the rules or regulations of the Amsterdam Police Department setting forth the maximum allowable gross weight for the operation of a vehicle in the City of Amsterdam without a permit for such vehicles, by any vehicle or combination of vehicles whose weight exceeds the weight limitations as set forth in this section, or such rules and regulation, excluding enforcement scale tolerance not to exceed 5%, shall be punishable by fines levied on the registered owner of the vehicle or vehicles, whether at the time of the violation the vehicle was in the charge of the registered owner or his agent or lessee in accordance with the following schedule:~~

<del>Excess Total Weight (pounds)</del>	<del>Amount of Fine</del>
<del>0 to 2,000</del>	<del>\$50</del>
<del>2,000 to 3,000</del>	<del>\$75</del>
<del>3,000 to 4,000</del>	<del>\$100</del>
<del>4,000 to 5,000</del>	<del>\$200</del>
<del>5,000 to 6,000</del>	<del>\$300</del>
<del>6,000 to 7,000</del>	<del>\$400</del>
<del>7,000 to 8,000</del>	<del>\$500</del>
<del>8,000 to 9,000</del>	<del>\$600</del>
<del>9,000 to 10,000</del>	<del>\$700</del>
<del>10,000 to 15,000</del>	<del>\$1,200</del>
<del>15,000 to 20,000</del>	<del>\$1,700</del>
<del>20,000 to 25,000</del>	<del>\$2,200</del>
<del>25,000 to 30,000</del>	<del>\$2,700</del>
<del>30,000 to 35,000</del>	<del>\$3,200</del>
<del>35,000 to 40,000</del>	<del>\$3,700</del>
<del>40,000 to 45,000</del>	<del>\$4,200</del>
<del>45,000 or greater</del>	<del>\$4,700</del>

~~(NOTE: Where the excess total weight is greater than the limits specified by a permit, the permit shall be deemed voided and then the amount of fine shall be determined in accordance with the maximum~~

weight which would have been in effect for the operation of such vehicle if the permit to exceed such maximum weight had not been issued.)

(5) Notwithstanding Subsection P(2) of this section, a violation of the provisions of Subsection H or I of this section or of the provisions of the rules and regulations of the Amsterdam Police Department setting forth the maximum allowable axle or tandem axle weight for the operation of a vehicle in the City of Amsterdam without a permit for such vehicle, by any vehicle or combination of vehicles whose weight exceeds the weight limitations as set forth in this section or such rules or regulations, shall be punishable by fines levied on the registered owner of the vehicle or vehicles, whether at the time of the violation the vehicle was in the charge of the registered owner or his agent or lessee, in accordance with the following schedule:

Percentage of Excess Weight	Amount of Fine
0 to 5.0	\$100
5.0 to 10.0	\$200
10.0 to 15.0	\$350
15.0 to 20.0	\$600
20.0 to 25.0	\$1,000
25.0 to 30.0	\$1,600
30.0 to 35.0	\$2,450
35.0 to 40.0	\$3,600
40.0 to 45.0	\$5,100
45.0 and greater	\$7,000

(NOTE: Where the excess axle or axles weight is greater than the limits specified by a permit, the permit shall be deemed voided and then the amount of fine shall be determined in accordance with the maximum weight which would have been in effect for the operation of such vehicle if the permit to exceed such maximum weight had not been issued.)

Q. If a vehicle or combination of vehicles is operated in violation of this section, an appearance ticket or summons may be issued to the registrant of the vehicle or, if a combination of vehicles, to the registrant of the hauling vehicle rather than the operator. In the event that the vehicle is operated by a person other than the registrant, any appearance ticket or summons issued to the registrant shall be served upon the operator, who shall be deemed the agent of the registrant for the purpose of receiving such appearance ticket or summons. Such operator-agent shall transmit such ticket or summons to the registrant of the vehicle or the hauling vehicle. If the registrant does not appear on the return date, a notice establishing a new return date and either containing all pertinent information relating to the charge which is contained on the summons or appearance ticket or accompanied by a copy of the information or complaint shall also be mailed by certified or registered mail by or on behalf of the City Court before whom the appearance ticket or summons is returnable to the registrant at the address given on the registration certificate for the vehicle or, if no registration certificate is produced at the time the appearance ticket or summons is issued, to the address of the registrant on file with the department or given to the person issuing the appearance ticket or summons. ~~Whenever proceedings in City Court result in a conviction for a violation of this section and the Court has made the mailing specified herein, the Court shall levy a mandatory surcharge, in addition to any sentence or other surcharge required or permitted by law, in the amount of \$30. This mandatory surcharge shall be paid to the clerk of the court that rendered the conviction. Within the first 10 days of the month following collection of the mandatory surcharge by City Court, the Court shall pay such money to the City Controller who shall credit such money to the account of the Amsterdam Police Department.~~ The provisions of this subdivision shall not apply to owner-operators of any motor vehicle or to any motor vehicle or trailer which is registered in the name of a person whose principal business is the lease or rental of motor vehicles or trailers unless the motor vehicle or trailer is being operated by any employee of the registrant or for a community of interest other than the lease or rental agreement between the parties to the lease or rental agreement.

R. The City court may impose any sentence authorized by this chapter; provided, however, that any such sentence must include a fine as provided in this section.

S. ~~In any case wherein the charge laid before the City court alleges a violation of this section, any plea of guilty thereafter entered in satisfaction of such charge must include at least a plea of guilty to a violation of one of the subsections of this section. No other disposition by plea of guilty to any other charge in satisfaction of such charge shall be authorized; provided, however, that if the District Attorney, upon reviewing the available evidence, determines that the charge of a violation of this section is not~~

~~warranted or under the circumstances not appropriate, he may consent and the court may allow a disposition by plea of guilty to that or another charge in satisfaction of such charge; provided, however, that the court must impose at least the minimum fine as authorized in this section for the offense of conviction.~~

**SECTION 3. SEVERABILITY**

Should any section or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole or any parts thereof other than the part so decided to be unconstitutional or invalid.

**SECTION 4. ENABLING LEGISLATION**

This Local Law is adopted pursuant to the authority granted by Section 1640 of the Vehicle and Traffic Law of the State of New York.

**SECTION 5. EFFECTIVE DATE**

This local law shall be effective when filed with the Secretary of State.

COMMON COUNCIL  
City of Amsterdam, NY

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

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

Dated: \_\_\_\_\_, 2012