

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
SEPTEMBER 17, 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
Robert DiScenza, Water Treatment Plant
 - VII. Public Participation
 - VIII. Controller's Report
 - IX. Old Business: *Resolution #13/14-47, 54, 56, 59, 60, 61*
 - 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
- 7:00 pm Star Registration – NYS Dept of Tax & Finance**
7:20 pm Public Hearing – Ordinance “E” of 2013

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

New Business

62. RESOLUTION ADOPTING MINUTES	DEROSSI
63. RESOLUTION APPROVING AUDIT	LEGGIERO
64. RESOLUTION AMENDING BUDGET – ENGINEERING	LEGGIERO
65. RESOLUTION AMENDING BUDGET – ENGINEERING	LEGGIERO
66. RESOLUTION AMENDING BUDGET – COMMON COUNCIL	LEGGIERO
67. RESOLUTION AMENDING BUDGET – SHARED SERVICES	LEGGIERO
68. RESOLUTION AWARDING BID – ENGINEERING	LEGGIERO

ORDINANCES

Ordinance Number 2012-E – Stop Sign on Gray Street

LOCAL LAWS

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
AUGUST 20, 2013**

RESOLUTION #13/14-47

RESOLUTION REASSIGNING EQUIPMENT AND AMENDING BUDGET – GOLF

BY: ALDERWOMAN DEROSSI

WHEREAS, the Department of Public Works has surplus equipment (a 500 gallon double wall hopper gas tank and electric transfer pump) that is needed at the Amsterdam Municipal Golf Course,

WHEREAS, a budget amendment is needed to account for the reinstallation ~~avoided~~ expense in the golf fund for the reassignment of said equipment to the golf course,

RESOLVED, that the said equipment is hereby reassigned to be used at the Amsterdam Municipal Golf Course, and

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

DECREASE EXPENSE:

CR-7180-4099	Grounds Maint.	\$2,500.00
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INCREASE EXPENSE:

A-5110-4000	Contractual	\$2,500.00
CR-7180-4148	Admin Charges	\$2,500.00

INCREASE REVENUE

A-5031	Int Fund Transfer – Golf	\$2,500.00
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MOTION TO TABLE by Alderwoman Beekman passed with aye. (8/20/13)

MOTION TO REMOVE FROM TABLE by Alderman Dybas passed with Aye. Alderwoman DeRossi and Mayor Thane were absent. The Controller position is vacant. (9/3/13)

MOTION TO TABLE by Alderman Isabel passed with Aye. Alderwoman DeRossi and Mayor Thane were absent. The Controller position is vacant. (9/3/13)

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
SEPTEMBER 3, 2013**

RESOLUTION #13/14-54

RESOLUTION AUTHORIZING SERVICES OF ACCOUNTING FIRM –AUD

BY: ALDERMAN DYBAS

WHEREAS, on February 19, 2013 the City of Amsterdam was notified by letter to the City Controller from the State of New York OFFICE OF THE STATE COMPTROLLER signed by Anthony J Dolan, Manager Data Management Unit stating “Despite previous correspondence with your office, your annual financial report for the fiscal year ended June 30, 2013 remains delinquent, pursuant to General Municipal Law Part 30, your annual report should have been filed with the Office of the State Comptroller by November 1, 2012”, and

WHEREAS, on October 5, 2012 the City of Amsterdam was notified by letter to the City Controller from the State of New York OFFICE OF THE STATE COMPTROLLER signed by Jeffrey P Leonard CPA Chief Examiner stating “I want to let you know that we conduct performance audits’, we do not conduct ‘financial audits’ as you reference in your request. As such you should understand our audit will not result in us adjusting or correcting the City’s account balances (emphasis added)...Furthermore, if neither you nor the current staff of your office has the capabilities to resolve the accounting issues you mention, you may want to consider contracting with an accounting firm for the services to assist you in addressing the accounting issues and/or possibly hiring an employee with the qualifications to correct and maintain the City’s accounting records.” And

WHEREAS, there appears to be, based on recent conversations concerning the condition of the City’s accounting records with the OFFICE OF THE STATE COMPTROLLER personnel, the need to contract with an accounting firm for the services to assist in addressing the accounting issues and maintain the City’s accounting records,

RESOLVED, the City shall immediately secure the services of a qualified accounting firm to resolve the City’s accounting issues and adjust and correct the City’s accounting records so as to be in conformance with General Municipal Law so as to provide audited Annual Financial Update Reporting Documents for fiscal years 2011/2012, 2012/2013 and 2013/2014.

MOTION TO TABLE by Alderman Dybas passed with Aye. Alderwoman DeRossi was absent. (9/3/13)

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
SEPTEMBER 3, 2013**

RESOLUTION #13/14-56

RESOLUTION AUTHORIZING MAYOR TO MODIFY TRANSIT ADVERTISING CONTRACT

BY: MAYOR THANE

WHEREAS, the LAMAR TRANSIT ADVERTISING has proposed to discontinue the advertising contract dated May 1, 2012, and

WHEREAS, the terms of of that discontinuation are set forth on the attached letter of understanding dated August 22, 2013,

RESOLVED, that the Mayor is authorized to execute the attached letter of understanding.

RESOLUTION DEFEATED. Alderman Isabel and Alderwoman Beekman voted aye.

COMMON COUNCIL
City of Amsterdam, NY

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

ANN M. THANE, MAYOR

Dated: _____, 2013

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

RESOLUTION #13/14-59

RESOLUTION AMENDING BUDGET- DPW

BY: ALDERMAN LEGGIERO

WHEREAS a budget amendment is needed to cover work done by DPW on behalf of the Water Department,

RESOLVED, the Controller is authorized to amend the 2012-2013 budget as follows:

DECREASE EXPENSES

F-8310-1000.04	Personnel Exp. Controller	\$12,087.19 (bal. \$882.39)
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INCREASE EXPENSES

F-8310-4144	Public Works Support	\$12,087.19
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MOTION TO TABLE by Alderman Isabel failed with Aye. Aldermen Isabel and Dybas and Alderwoman Beekman voted aye.

MOTION TO RECONSIDER TABLE by Alderman Dybas passed with Aye. Alderwoman DeRossi and Mayor Thane were absent. The Controller position is vacant.

MOTION TO TABLE by Alderman Isabel passed with Aye. Alderwoman DeRossi and Mayor Thane were absent. The Controller position is vacant. (9/3/13)

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
SEPTEMBER 3, 2013**

RESOLUTION #13/14-60

RESOLUTION AMENDING BUDGET- DPW

BY: ALDERMAN LEGGIERO

WHEREAS a budget amendment is needed to pay Northeast Petroleum Technology for the removal of contaminated soil associated with the underground tank removal at DPW in May, 2013,

RESOLVED, the Controller is authorized to amend the 2012-2013 budget as follows:

FROM:

A-1990-4036	Contingency	\$32,332.80 (bal \$8,619.73)
G-8110-4036	Water Contingency	\$11,547.43 (bal \$124,529.46
	– entry errors exist in that FEMA payments were credited to contingency)	
F-1990-4036	Sewer Contingency	\$9,815.31 (bal \$9,138.34)
CL-8160-4140	Cleanup Weeks	\$4,041.60 (bal \$19,632.49
	– entry errors exist in this line, clean up expenses were not properly charged)	

TO:

A-5110-4186	Capital Project	\$57,737.14
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MOTION TO TABLE by Alderman Isabel passed with Aye. Alderwoman DeRossi and Mayor Thane were absent. The Controller position is vacant. (9/3/13)

There are insufficient funds for the proposed transfers and normally we do not transfer from operating budget lines to capital lines. - GD

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-62

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERWOMAN DEROSI

RESOLVED, that the minutes of the Common Council meeting of September 3, 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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-63

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-64

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: MAYOR THANE

WHEREAS, a budget amendment is needed for insurance receipt of damage to a fire hydrant as a result of a motor vehicle accident,

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

INCREASE REVENUE

F-2680	Ins. Recoveries	\$378.62
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INCREASE EXPENSE

F-8340-1001	Overtime	\$126.64
F-8340-2012	Equip/Supplies	\$ 50.00
F-8340-4000	Contractual	\$.38
F-8340-4042	Eq/Parts/Valves	\$129.00
F-8340-4070	Vehicle Repair	\$ 72.60

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-65

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: MAYOR THANE

WHEREAS, a budget amendment is needed for insurance receipt of damage to a City sewer line as a result of damage by a contractor,

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

INCREASE REVENUE

G-2680	Ins. Recoveries	\$2,610.86
A-2680.21	Ins. Recoveries	\$ 544.13
	DPW	

INCREASE EXPENSE

G-8130-1001	Overtime	\$1,373.60
G-8130-4000	Contractual	\$ 4.73
G-8130-4042	Eq/Parts/Valves	\$ 32.90
G-8130-4070	Vehicle Repair	\$1,040.36
G-8130-4074	Blacktop	\$ 126.77
G-8130-4075	Sand/Rub/Cemt	\$ 32.50
A-5110-1001	Overtime	\$ 333.00
A-5110-2012	Equip/Supplies	\$ 210.38
A-5110-4078	Radio Repairs	\$.75

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-66

RESOLUTION AMENDING BUDGET- COMMON COUNCIL

BY: ALDERMAN LEGGIERO

WHEREAS, the cost of codification exceeds budgeted amount of service by \$408.56,

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

DECREASE EXPENSE:

A-1990-4036	Contingency	\$228.79 (bal. \$93,100)
F-1990-4036	Contingency	\$81.71 (bal. \$65,500)
G-8110-4036	Contingency	\$69.46 (bal. \$133,200)
CL-8160-4140	Cleanup Wk	\$28.60 (bal. \$12,900)

INCREASE EXPENSE:

A-1010-4104	Codification	\$228.79
F-8310-4104	Codification	\$81.71
G-8110-4104	Codification	\$69.46
CL-8160-4104	Codification	\$28.60

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-67

RESOLUTION AMENDING BUDGET- SHARED SERVICES

BY: ALDERMAN LEGGIERO

WHEREAS, the cost of elevator repairs exceeds budgeted amount of service by \$212.24,

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

DECREASE EXPENSE:

A-1620-4000	Contractual	\$118.85
CL-8160-4000	Contractual	\$14.86
F-8160-4000	Contractual	\$42.45
G-8160-4000	Contractual	\$36.08

INCREASE EXPENSE:

A-1620-4027	Elevator Service	\$118.85
CL-8160-4027	Elevator Service	\$14.86
F-8310-4027	Elevator Service	\$42.45
G-8110-4027	Elevator Service	\$36.08

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
SEPTEMBER 17, 2013**

RESOLUTION #13/14-68

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: ALDERMAN LEGGIERO

WHEREAS, RPF's were received and reviewed by the City Engineer for DPW Building Repairs and Painting,

RESOLVED, Bennett Cont. Inc., 693 South Pearl Street, Albany, NY 12202 is hereby awarded the bid in the amount of \$28,780 funds from H-5110-4130 (current balance \$50,767)

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
SEPTEMBER 3, 2013**

Ordinance Number 2012-E (to be known as Ordinance Number 2013-4 if adopted)

AN ORDINANCE AMENDING CHAPTER 228 OF THE CODE OF THE CITY OF AMSTERDAM

BY: ALDERMAN LEGGIERO

WHEREAS, it has been requested by residents that a stop sign be added on the northbound side of Gray Street at the intersection with Center Street,

The City of Amsterdam, in Common Council convened, does hereby ordain and enact as follows:

Chapter 228, Article VII, Section 228-43 "Schedule XI Stop Intersections" of the Code of the City of Amsterdam is hereby amended as indicated below: (underlined items are added):

Add to Schedule

<u><i>Name of Street</i></u>	<u><i>Direction of Travel</i></u>	<u><i>Location</i></u>
<u>Gray Street</u>	<u>North</u>	<u>at intersection of Center Street</u>

This ordinance shall take effect pursuant to Section 33 of the Charter.

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: _____, 2013