

**COMMON COUNCIL MEETING
SEPTEMBER 15, 2015
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:
- X. New Business:
 - (a) Resolutions
 - (b) Ordinances:
 - (c) Local Laws: 2015-I
 - (d) Introduction of Ordinances:
 - (e) Introduction of Local Laws:
 - (f) Committee Reports
 - (g) Scheduling of Committee Meetings
 - (h) Other
- XI. Executive Session
- XII: Adjournment

6:00 p.m. COW

1. Discussion of Local Law 2015-I

2. Part-time Employees for DPW

6:45 p.m. COW – discussion on agenda items

RESOLUTIONS

Old Business

57. RESOLUTION APPROVING RFP – AUDITING SERVICES **RUSSO**

New Business

63. RESOLUTION ADOPTING MINUTES **BEEKMAN**
64. RESOLUTION APPROVING AUDIT **HATZENBUHLER**
65. RESOLUTION RENEWING LEASE –PORT JACKSON BOCCE **LEGGIERO**
66. RESOLUTION AUTHORIZING ENGINEERING SERVICES **MAYOR**
67. RESOLUTION AWARDED BID – SEWER IMPROVEMENTS **MAYOR**
68. RESOLUTION AWARDED BIDS – STREET/SIDEWALKS **MAYOR**
70. RESOLUTION AUTHORIZING PAYMENT FROM WATER
FUND BALANCE **MAYOR**
71. RESOLUTION BUDGET MODIFICATION TRANSPORTATION **MAYOR**

Ordinances

2015- F ORDINANCE AMENDING CHAPTER 228 **RUSSO/LEGGIERO**

Local Laws

2015-I LOCAL LAW ESTABLISHING CHAPTER 93 – BUILDINGS VACANT **MAYOR**
AND AT RISK

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING'
SEPTEMBER 1, 2015**

RESOLUTION #15/16-57

RESOLUTION AUTHORIZING RFP – AUDITING SERVICES

BY: ALDERMAN RUSSO

RESOLVED, the City Clerk is authorized to advertise for proposals from interested parties for auditing services for the City of Amsterdam in accordance with the attached request for proposals.

MOTION TO TABLE by Alderwoman Hatzenbuhler, passed with aye. (9/1/5)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 15, 2015

RESOLUTION #15/16-63

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERWOMAN BEEKMAN

RESOLVED, that the minutes of the Common Council meeting of September 1, 2015 are hereby adopted.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 15, 2015**

RESOLUTION #15/16-64

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN 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 Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 15, 2015**

RESOLUTION #15/16-65

RESOLUTION RENEWING LEASE – PORT JACKSON BOCCE

BY: ALDERMAN LEGGIERO

RESOLVED, the Mayor is authorized to sign a lease agreement with the Port Jackson Bocce Club for property on Erie Terrace for a period of ten (10) years effective July 1, 2016 at a cost of \$1.00 per year.

COMMON COUNCIL
City of Amsterdam, NY

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

ANN M. THANE, MAYOR

DATED: _____, 2015

**CITY OF AMSTERDAM
LEASE AGREEMENT**

Pursuant to Resolution #15/16-64 of the Common Council of the City of Amsterdam dated September 15, 2015, the City of Amsterdam does hereby enter into the following lease agreement with the Port Jackson Bocce Club and the Southside Veterans Association, replacing a lease agreement entered into in June, 1994.

Between the City of Amsterdam, 61 Church Street, Amsterdam, New York 12010, Landlord

AND

Port Jackson Bocce Club and Southside Veterans Association Tenants

As and for the sum of one dollar per year due on July 1, the Landlord shall allow the tenant to lease premises and appurtenances commonly known as the Port Jackson Bocce Club located on Erie Terrace in the City of Amsterdam, State of new York for a period of ten years commencing on July 1, 2016.

The tenant agrees to indemnify and hold the Landlord harmless from any damages resulting from the negligence of the tenants.

At the end of the term, tenants shall surrender the premises in as good condition as at present, subject to ordinary wear and tear.

Tenants agree that the premises shall be used exclusively for recreational purposes and public service.

If the tenants shall fail to honor the terms of this agreement, the Landlord may reenter the premises or avail itself of any remedy provided by law.

CITY OF AMSTERDAM

DATED: _____

BY: _____
Ann M. Thane, Mayor

PORT JACKSON BOCCE CLUB

DATED: _____

BY: _____

SOUTHSIDE VETERANS ASSOCIATION

DATED: _____

BY: _____

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 15, 2015**

RESOLUTION #15/16-66

RESOLUTION AUTHORIZING ENGINEERING SERVICES - VARIOUS

BY: MAYOR THANE

WHEREAS, the City of Amsterdam has approved and received bond funding for various capital projects,

RESOLVED, the Mayor is authorized to retain John McDonald Engineering for engineering services in accordance with the attached August 28, 2015 letter with services to be paid from the associated capital project.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015



John M. McDonald Engineering, PC
A Division of McDonald Engineers, Inc.

August 28, 2015

Mr. Richard Miller, P.E.
City of Amsterdam
61 Church Street, City Hall
Amsterdam, NY 12010

Re: City of Amsterdam
Various Upcoming Projects

Dear Mr. Miller:

We are pleased to submit this proposal to you, for your consideration, for the engineering services needed to complete the City of Amsterdam's Capital Program as outlined in the July 9, 2015 City of Amsterdam Bond Resolution. This is in furtherance of our discussion at our meeting on Wednesday August 26, 2015. Below is our proposal for each project as listed.

Wastewater Project

East Side Pump Station Mechanical Bar Screen Replacement

The existing bar screen has been problematic for years and is in need of replacement. It cannot keep up with removal of materials from the wastewater during periods of high flows, and has backed up water in the diversion structure, causing Combined Sewer Overflows (CSOs) to the Mohawk River in the past. There have even been times that the unit must be turned off, as the motor for the screen would be damaged by high water levels.

The scope of engineering work includes:

1. Detailed field measurements of the existing screen installation as it was installed after the plant was originally constructed and no plans have been located. The original comminutors have been removed and it is suspected that the flow channels have been modified to fit the screen.
2. Meet with Gene Hutchings to obtain information on the preferred mode of operation and equipment to be installed.
3. Perform hydraulic calculations using the selected screen to ensure proper operation and to prevent back up flow in the influent pipe during periods of high flow (Wet Weather events).
4. Consider building structural modifications necessary to allow for the screen unit to discharge at the first floor level so that the screenings no longer have to be hauled up in 55 gallon drums with a crane. Also, ensure that the motor is located where it will not be damaged by high water levels.

New York Office • 7 South Church Street • Schenectady, New York 12305
Ph: 518 382 1774 Fax: 518 382 1776 • www.mcdonaldengineers.com • www.primeeng.com

5. Develop plans and specifications for the building modifications, existing screen removal, new screen installation, control panel replacement, startup and testing.
6. Submit plans to NYSDEC for review and comment. Address any comments prior to bidding.
7. Bid phase engineering.
8. Construction phase engineering and inspection. Inspection has been estimated at 4 hours per day for one month.

We propose to perform the above scope of work for a fee not to exceed \$39,100.00

Dams and Floodwall

Brookside Dam

The City intends to take the reservoir permanently out of service. DEC requires that an emergency plan be submitted to remove the dam from the requirements of a Class C hazard classification.

The engineering services necessary to secure approval from DEC for taking the dam out of service will first require a Schedule of Submission be prepared and submitted to DEC, per their previous notifications to the City. The schedule will include proposed dates for engineering design, DEC review of plans and specs, permitting, seeking funding, and construction.

Once the Schedule of Submission is approved, engineering design work will include survey, hydraulic & hydrology (H&H) analysis, development of the scope of work, preparation of plans, specifications, contract documents, NYSDEC Permit Application, engineering report, and meetings with DEC and the City. Following approval of the plans and specifications, the bid and construction phase engineering will follow. Final engineering certification and record drawings are required to be submitted to DEC, once all construction work is complete.

We propose to perform these engineering services for a fee not to exceed \$52,000.

Ireland Vly and Steele Dams

Both dams are past due for safety inspections and engineering assessments as required by the DEC regulations. The safety inspection work includes site visits to review the existing dam conditions, followed by an engineering report of the findings. The engineering assessment work involves reviewing existing drawings, fieldwork, performing a dam stability analysis, geotechnical engineering analysis, H&H analysis, review and update of the Emergency Action Plan, drawings, photos, review and update of the Inspection and Maintenance Plan, and preparation of an engineering assessment report that includes the evaluations, findings, safety inspection report, and recommended improvements. This assessment report will be reviewed by the City and then upon acceptance, will be sent to DEC.

We propose to perform these engineering services for a fee not to exceed \$45,000.

Flood Wall Certification

An engineering analysis of the flood wall along the Mohawk River is required to determine stability and any improvements needed. The engineering work involves fieldwork to determine actual geometry, stability analysis, geotechnical engineering analysis, drawings, and preparation of an engineering report, including findings and recommendations.

We propose to perform these engineering services for a fee not to exceed \$40,000.

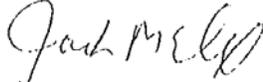
Shuttleworth Dam ACOE Assistance

We have provided technical assistance regarding the ACOE permit violations for prior improvements completed at the historical Shuttleworth Dam. We will continue to provide technical assistance with regard to wetland mitigation plans to accompany the permit application.

We propose to perform these services for a fee not to exceed \$9,000.

We have staff available to perform these services at the current time, and we are available to meet with you at your earliest convenience to discuss these projects and assignments in more detail.

Sincerely,



John M. McDonald, P.E.

cc: Ann M. Thane, Mayor

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING'
SEPTEMBER 15, 2015**

RESOLUTION #15/16-67

RESOLUTION AWARDING BID – SEWER SYSTEM IMPROVEMENT #5

BY: MAYOR THANE

WHEREAS, the bids for Contract No. 5 – General Construction were received and publicly opened by the Amsterdam City Clerk on August 14, 2015; and

WHEREAS, the lowest, responsible bidder was F.P. Kane Construction, Inc. in the amount of \$514,000.00; and

WHEREAS, McDonald Engineering has reviewed the bids and recommends award of the contract to F.P. Kane Construction, Inc.; and

WHEREAS, the City has obtained funding in the amount of \$600,000.00 from the NYS Office of Community Renewal (OCR);

RESOLVED, contingent upon the Environmental Clearance being issued for the project by OCR, the Municipal Sewer System Improvement Project Contract No. 5 – General Construction is awarded to F.P. Kane Construction, Inc. for the sum of: \$514,000.00

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

**COMMON COUNCIL MEETING'
SEPTEMBER 15, 2015**

RESOLUTION #15/16-68

RESOLUTION AWARDING BID – STREET RESURFACING/SIDEWALK RECONSTRUCTION

BY: ALDERMAN LEGGIERO

WHEREAS, bids were received and opened publically on September 11, 2015 for street resurfacing and sidewalk reconstruction, and

WHEREAS, the City Engineer has reviewed the bids received,

RESOLVED, _____, being the lowest responsible bidder, is hereby awarded the bid for Street Resurfacing and Sidewalk Reconstruction in the amount of \$_____.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Russo		

Alderman Barone		

Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

STREET RESURFACING AND SIDEWALK RECONSTRUCTION

9/11/15
SF

BID BID BOND/CHECK

	BID	BID BOND/CHECK
CALLANAN INDUSTRIES	\$475,704.25	Bid Bond
LUIZZI BROTHERS	\$476,944.25	Bid Bond
KUBRICKY CONSTRUCTION CORP	\$634,444.28	Bid Bond

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING'
SEPTEMBER 15, 2015**

RESOLUTION #15/16-69

RESOLUTION AUTHORIZING PAYMENT TO ENVIRONMENTAL FACILITIES CORPORATION FROM WATER FUND BALANCE

BY: MAYOR THANE

WHEREAS, the City has completed various capital improvements to the Water Treatment Plant known as DWSRF Project: 17497 and approximately one half of this project is funded by the American Recovery and Reinvestment Act (AARA) in the amount of \$5,081,048.50, and

WHEREAS, the total project cost was \$11,091,844.43, and

WHEREAS, the City is eligible for \$3,913,128.00 of zero interest borrowing financed by New York State Environmental Facilities Corporation(NYSEFC) for 30 years as long term financing, and

WHEREAS, this amount is determine by documented expenses for the project, and

WHEREAS, this project has been funded by short term borrowing from the New York State Environmental Facilities Corporation(NYSEFC) and independent borrowings by the City of Amsterdam, and now this short term borrowing needs to be converted to long term borrowing, and

WHEREAS, the reconciliation of amounts borrowed short term exceeds the amount of long term borrowing and AARA forgiveness available from NYSEFC by \$152, 164.50, due to a lack of documented expenses of \$152, 164.50,

RESOLVED, the Controller is authorized to pay from water fund balance to NYSEFC the amount of \$152, 164.50

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING'
SEPTEMBER 15, 2015**

RESOLUTION #15/16-70

RESOLUTION AMENDING BUDGET - TRANSPORTATION

BY: MAYOR THANE

WHEREAS, there is a need to hire a replacement dispatcher in the transportation department due to an expected retirement and it will be necessary to provide for this hire to occur before the retirement for on the job training purposes,

RESOLVED, the Controller is authorized to amend the 2015-16 transportation budget as follows:

DECREASE EXPENSE:

CT-5630.4036	Contingency	\$4,000 (Bal. \$0)
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INCREASE EXPENSE:

CT-5630.1000	Personnel Services	\$4,000
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COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

DATED: _____, 2015

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING'
SEPTEMBER 1, 2015**

ORDINANCE 2015-F

**AN ORDINANCE AMENDING CHAPTER 228, ARTICLE VII, SCHEDULE XI:
TRUCKS OVER CERTAIN WEIGHT EXCLUDED**

BY: ALDERMEN RUSSO & LEGGIERO

WHEREAS, it has been recommended that trucks of a certain weigh be excluded from Brookside Avenue and Florida Avenue except for pickup and delivery of material on said street,

ORDAIN AND ENACT as follows:

§228-45. Schedule XI: Trucks Over Certain Weights Excluded.

In accordance with the provisions of §228-14, trucks in excess of the weights indicated are hereby excluded from the following streets or parts thereof, except for the pickup and delivery of materials on such streets: (unlined text is added)

Name of Street	Weight Limit (tons)	Location
<u>Brookside Avenue</u>	<u>13</u>	<u>Entire Length</u>
<u>Florida Avenue</u>	<u>13</u>	<u>Entire Length</u>

COMMON COUNCIL
City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Russo</u>		
<u>Alderman Beekman</u>		
<u>Alderman Barone</u>		
<u>Alderman Hatzenbuhler</u>		
<u>Alderman Leggiero</u>		

ANN M. THANE, MAYOR

DATED: _____, 2015