

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011
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
 - Department Head Presentation:**
 - Robert Reidy, Employee Relations
 - Calvin Cline, Assessor
- 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: Claims Committee (expected to take place in Executive Session)
- XI: Adjournment

Public Safety Committee: 6:30 p.m.

RESOLUTIONS

. 93. RESOLUTION ADOPTING MINUTES	WILLS
94. RESOLUTION APPROVING AUDIT	WILLS
95. RESOLUTION HONORING ISADORE DEMSKY	FULL COUNCIL
96. RESOLUTION AMENDING BUDGET-RECREATION	ISABEL
97. RESOLUTION AMENDING BUDGET – RECREATION	ISABEL
98. RESOLUTION TRANSFERRING FUNDS – DEC ORDER	FULL COUNCIL
99. RESOLUTION TRANSFERRING FUNDS – SANITATION TRUCK	LEGGIERO
100. RESOLUTION AWARDDING BID – SANITATION TRUCK	LEGGIERO
101. RESOLUTION TRANSFERRING FUNDS – LOADER BACKHOE	LEGGIERO
102. RESOLUTION AWARDDING BID – LOADER BACKHOE	LEGGIERO
103. RESOLUTION AUTHORIZING CHANGE ORDER	LEGGIERO
104. RESOLUTION AUTHORIZING TRANSFER – RETIREMENT	MAYOR
105. RESOLUTION APPROVING/DENYING CLAIMS	WILLS

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 6, 2011**

RESOLUTION #11/12-93

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN WILLS

RESOLVED, that the minutes of the Common Council meeting of November 15, 2011, prepared by the Amsterdam City Clerk, are hereby adopted and,

FURTHER RESOLVED, that any changes made by a Council Member to their own remarks, and submitted within two (2) weeks of the passage of this Resolution, shall be incorporated in the minutes of the meeting.

COMMON COUNCIL
City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Isabel</u>		
<u>Alderwoman Pierce</u>		
<u>Alderwoman DeRossi</u>		
<u>Alderman Wills</u>		
<u>Alderman Leggiero</u>		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
DECEMBER 6, 2011**

RESOLUTION #11/12-94

RESOLUTION APPROVING AUDIT

BY: ALDERMAN WILLS

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 Pierce		
_____ Alderwoman DeRossi		
_____ Alderman Wills		
_____ Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-95

RESOLUTION HONORING ISADORE DEMSKY'S 95th BIRTHDAY

BY: FULL COUNCIL

WHEREAS, Isadore Demsky was born in the City of Amsterdam on December 9, 1916; and is one of Amsterdam's Most Favorite Sons, and

WHEREAS, Isadore Demsky attended local schools and graduated from Amsterdam High School where he was active in drama; and

WHEREAS, Isadore Demsky in an effort to better his lot in life hitched a ride to attend St. Lawrence University; and

WHEREAS, Isadore Demsky, following work in summer stock, attended the American Academy for the Dramatic Arts; and

WHEREAS, Isadore Demsky entered into the service of the United States Navy following the bombing of Pearl Harbor to the end of World War II; and

WHEREAS, Isadore Demsky changed his name to Kirk Douglas upon entering the Navy in World War II, and

WHEREAS, Kirk Douglas went on to have a successful acting career including three Academy Award nominations and a special Oscar for "50 years as a moral and creative force in the motion picture community" and

WHEREAS, Kirk Douglas is the author of several best-selling books, including The Ragman's Son, an autobiography, which includes anecdotes of his life and friendships in Amsterdam; and

WHEREAS, Kirk Douglas received the Presidential Medal of Freedom in 1981, the French Legion of Honor in 1985, and the National Medal of the Arts in 2001; and

RESOLVED, that December 9, 2011 is declared Isadore Demsky Day in the City of Amsterdam, in remembrance of the origins of Kirk Douglas on his 95th birthday.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderman Pierce		
Alderman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-96

RESOLUTION AMENDING BUDGET – RECREATION

BY: ALDERMAN ISABEL

WHEREAS, monies have been received from the use of Shuttleworth Park baseball field,

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

INCREASE REVENUE

A-2001	Recreation Charges	\$750.00
A-380	Accounts Receivable	\$225.00

INCREASE EXPENSE

A-26-7020-4000	Contractual	\$975.00
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COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Pierce		

Alderwoman DeRossi		

Alderman Wills		

Alderman Leggiero		

Controller		

Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-97

RESOLUTION AMENDING BUDGET – RECREATION

BY: ALDERMAN ISABEL

WHEREAS, monies have been received from basketball registration,

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

INCREASE REVENUE

A-2003	Registration Fees	\$6,146.00
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INCREASE EXPENSE

A-26-7020-4000	Contractual	\$6,146.00
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COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
_____ Alderman Isabel		
_____ Alderwoman Pierce		
_____ Alderwoman DeRossi		
_____ Alderman Wills		
_____ Alderman Leggiero		
_____ Controller		
_____ Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-98

RESOLUTION TRANSFERRING FUNDS – DEC CONSENT ORDER

BY: FULL COUNCIL

WHEREAS, funds are needed to pay approved Consent Order from DEC,

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

FROM:

G-8110-4036	Sewer Contingency	\$5,700.00 (Bal. \$387,888.00)
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TO:

G-8110.4033	Judgments	\$5,700.00
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COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Pierce		

Alderwoman DeRossi		

Alderman Wills		

Alderman Leggiero		

Controller		

Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-99

RESOLUTION TRANSFERRING FUNDS – SANITATION PACKER

BY: ALDERMAN LEGGIERO

WHEREAS, funds are needed to balance of cost of Sanitation Truck authorized for bid by Common Council,

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

FROM:

TO:

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		
Controller		
Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-100

RESOLUTION AWARDING BID – SANITATION PACKER

BY: ALDERMAN LEGGIERO

WHEREAS, bids were advertised for, received and opened by the City Clerk for a Sanitation Packer, and

WHEREAS, after review and recommendation by the City Engineer,

RESOLVED, H L Gage Sales, Inc. is hereby awarded the bid for a Sanitation Packer in the amount of \$121,436.00.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
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RESOLUTION #11/12-101

RESOLUTION TRANSFERRING FUNDS – LOADER BACKHOE

BY: ALDERMAN LEGGIERO

WHEREAS, funds are needed for balance of a 2WD Diesel Extenda-hoe Loader Backhoe,

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

FROM:

TO:

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		
Controller		
Mayor Thane		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-102

RESOLUTION AWARDING BID – LOADER BACKHOE

BY: ALDERMAN LEGGIERO

WHEREAS, bids were advertised for, received and opened by the City Clerk for a Loader Backhoe, and

WHEREAS, after review and recommendation by the City Engineer,

RESOLVED, Monroe Tractor is hereby awarded the bid for a 2WD Diesel Extenda-hoe Loader Backhoe in the amount of \$73,776.00.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

RESOLUTION #11/12-103

RESOLUTION AUTHORIZING CHANGE ORDER – TALHAM, INC.

BY: ALDERMAN LEGGIERO

WHEREAS, a change order is necessary to provide required handicapped parking and reconfiguration of the existing parking along Guy Park Avenue Ext. in the amount of \$21,450.00, and

WHEREAS, the NYS Office of Court Administration will reimburse the City of Amsterdam \$11,281.00 for the project, (Balance to be paid from H-50-5112-4001)

RESOLVED, that the Mayor is authorized to execute a change order for Talham Inc. for the 2011 Road and Sidewalk Reconstruction Project in the amount of \$21,450.00.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
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RESOLUTION #11/12-104

RESOLUTION TRANSFERRING FUNDS – DISABILITY PENSION

BY: MAYOR THANE

WHEREAS, a transfer of funds is needed to pay Disability Pension payments,

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

FROM:

A-9015-8821	NYS Police & Fire Retirement	\$50,000.00 (bal. \$674.00)
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TO:

A-9025-8822	Police & Fire Pension	\$50,000.00
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COMMON COUNCIL
City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Isabel</u>		
<u>Alderman Pierce</u>		
<u>Alderman DeRossi</u>		
<u>Alderman Wills</u>		
<u>Alderman Leggiero</u>		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
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DECEMBER 6, 2011**

RESOLUTION #11/12-105

RESOLUTION APPROVING/DENYING CLAIMS

BY: ALDERMAN WILLS

RESOLVED, the following claims are hereby approves:

FURTHER RESOLVED, the following claims are hereby denied:

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2011

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
DECEMBER 6, 2011**

**ORDINANCE NUMBER 2011-10
AN ORDINANCE REVISING CITY CODE CHAPTER 219- – TOWING (for
introduction)**

BY: ALDERMAN ISABEL

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

Chapter §219 “Towing” of the code of the City of Amsterdam is hereby amended as indicated below underlined material is added:

§Chapter 219-1 Towing Fees:

- A. Monday through Friday, 8:00 a.m. to 5:00 p.m.: \$80.
- B. Monday through Friday nights, 5:00 p.m. to 8:00 a.m.: \$100.
- C. Weekend rate, Friday 5:00 p.m. through Monday 8:00 a.m.: \$90.
- D. Surcharge. A \$25.00 surcharge will be levied on all tows resulting from violations and/or crimes listed in the Amsterdam City Code, the New York State Penal Law and the New York State Vehicle and Traffic Law. Said surcharge will be paid to the City of Amsterdam. Now tow service shall release any vehicle until they receive receipted proof that the surcharge has been paid.

§ Chapter §219-2 “Storage Fees”:

- A. There will be no storage fees in the first 24 hours on weekdays.
- B. Daily storage fee: \$50. This fee shall also apply to any vehicle held at the Amsterdam Police Department or their subsidiaries as a result of violations or crimes listed in the Amsterdam City Code, the New York State Penal Code and the New York State Vehicle and Traffic Law. A storage surcharge of \$25 will be paid to the City of Amsterdam on all vehicles held at two services in accordance with violations and or crimes previously mentioned. No tow service shall release any vehicle until they receive receipted proof that the surcharge has been paid.
- C. If a vehicle is towed on Friday or a weekend, there will be no storage fees until after the first full business day.

§219-3. Required equipment for towers.

A tow service must have a flatbed and wheel lift tow truck equipped with tow chains, a fire extinguisher, broom and shovel, as well as lock-out tools.

§219-4. Towing insurance.

A tow service must have a towing insurance policy in the amount of \$1,000,000 for overall coverage. Yearly verification of policy renewal must be presented to the City Clerk.

§219-5. Response time.

Response time shall be as follows:

- A. Days: 15 minutes.
- B. Nights: 25 minutes.
- C. Towers must be available 24 hours a day.

§ 219-6. Copies of tow fees.

A tow service must submit copies of on-call tow fees charged upon request.

§ 219-7. Maintenance of crash site.

Debris at a crash site must be cleaned pursuant to New York State Vehicle and Traffic Law.

§ 219-8. On-call tow service.

An on-call tow service must be a New York State registered repair shop.

§ 219-9. Gas.

A gas can for motorists must be available, and a vehicle should not be towed if out of gas. The fee shall be \$35 for days and \$45 for nights.

§ 219-10. Flat tires.

The tow service will change flat tires for motorists instead of towing. The fee shall be \$35 for days and \$45 for nights.

§ 219-11. Tow service not available.

When the on-call tow service is not available, the tow will go to the next on-call operator on the City tow list.

§ 219-12. Additional charges.

In the event of an unusual towing situation such as cargo dumped on the roadway, vehicle in the river or over an embankment, which would require extra labor, the tow operator will be allowed to charge for the additional labor and time at going local rates.

§ 219-13. Proof of insurance and registration.

Upon passage of these rules by the Common Council, City tow operators will be required to provide copies of insurance documents to comply with § 219-4 above, proof that the tow service is a New York State registered repair shop, and copies of New York State registration documents for the tow vehicles required.

This Ordinance shall take effect pursuant to Section C33 of the Charter.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Isabel		
Alderwoman Pierce		
Alderwoman DeRossi		
Alderman Wills		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated _____, 2011