

CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
JULY 7, 2015

RESOLUTION #15/16-11

A RESOLUTION AUTHORIZING THE ISSUANCE OF ~~\$3,799,000~~ \$3,999,000 BONDS OF THE CITY OF AMSTERDAM, MONTGOMERY COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PURPOSES, IN AND FOR SAID CITY.

BY: FULL COMMON COUNCIL

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes;

RESOLVED, by the Common Council of the City of Amsterdam, Montgomery County, New York, as follows:

**Section 1.** For the purpose of paying the cost of the objects or purposes hereinafter set forth in this bond resolution, including, in each instance, incidental expenses in connection therewith, each of which is a capital purpose, there are hereby authorized to be issued ~~\$3,799,000~~ 3,999,000 bonds of the City of Amsterdam, Montgomery County, New York, pursuant to the provisions of the Local Finance Law, apportioned among the specific objects or purposes and classes of objects or purposes set forth in Section 2 hereof and in accordance with the estimated maximum cost of each as set forth in Section 2 hereof. The plan of financing for each such specific object or purpose or class of objects or purposes is the issuance of the obligations authorized therefore.

**Section 2.** The objects or purposes to be financed pursuant to this bond resolution are as follows:

- (a) Acquisition and Installation of heating, ventilating or air conditioning equipment in the City's Public Safety Building, a class of objects or purposes, at an estimated maximum cost of \$55,000, with a period of probable usefulness of ten years pursuant to subdivision thirteen of paragraph a of Section 11.00 of the Local Finance Law, as the Public Safety Building is a class "A" building within the meaning of subdivision 11 of said paragraph a (No. 1);
- (b) Acquisition of various office equipment, including computer, networking and camera equipment, a class of objects or purposes, at an estimated maximum cost of \$61,000, with a period of probable usefulness of five years pursuant to subdivision thirty-two of paragraph a of Section 11.00 of the Local Finance Law (Nos. 4, 5);
- (c) Acquisition of police computer and camera equipment for data transmission and communication, a class of objects or purposes, at an estimated maximum cost of \$55,000, with a period of probable usefulness of ten years pursuant to subdivision twenty-five of paragraph a of Section 11.00 of the Local Finance Law (Nos. 6, 7);
- (d) Various Improvements to the City's Public Safety Building, a class of objects or purposes, at an estimated maximum cost of \$110,000, with a period of probable usefulness of twenty-five years pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, as the Public Safety Building is a class "A" building within the meaning of subdivision 11 of said paragraph a (Nos. 8, 11);
- (e) Acquisition of fire rescue and recovery boat, a specific object or purpose, at an estimated maximum cost of \$28,000, with a period of probable usefulness of ten years pursuant to subdivision twenty-six of paragraph a of Section 11.00 of the Local Finance Law (No. 9);
- (f) Acquisition of construction or maintenance equipment, including vehicles, each item of which shall cost \$30,000 or more, a class of objects or purposes, at an estimated maximum cost of \$592,000, with a period of probable usefulness of fifteen years pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law (Nos. 13, 14, 18, 19, 22, 23);
- (g) Acquisition of construction or maintenance equipment, including vehicles, each item of which shall cost more than \$15,000, a class of objects or purposes, at an estimated maximum cost of \$44,000, with a period of probable usefulness of ten years pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law (Nos. 33, 81);
- (h) Acquisition of construction or maintenance equipment, a class of objects or purposes, at an estimated maximum cost of \$49,000, with a period of probable usefulness of five years pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law (Nos. 17, 86);

- (i) Acquisition of passenger vehicles to replace similar vehicles in service for at least three years or, in the case of police or fire vehicles, at least one year, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$55,000, with a period of probable usefulness of three years pursuant to subdivision seventy-seven of paragraph a of Section 11.00 of the Local Finance Law (No. 35, 84);
- (j) Reconstruction of various City roads, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$622,000, with a period of probable usefulness of fifteen years pursuant to subdivision twenty-one of paragraph a of Section 11.00 of the Local Finance Law (No. 36);
- (k) Road construction or reconstruction at Water Street, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$88,000, with a period of probable usefulness of fifteen years pursuant to subdivision twenty-one of paragraph a of Section 11.00 of the Local Finance Law (No. 38);
- (l) Demolition of City-owned properties no longer of any use or value or dangerous or detrimental to human life, health or safety, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$550,000, with a period of probable usefulness of ten years pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law (No. 40);
- (m) Stabilization of City-owned properties for human life, health or safety purposes, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$110,000, with a period of probable usefulness of ten years pursuant to subdivision ninety of paragraph a of Section 11.00 of the Local Finance Law, as each item in the aforesaid class shall have a period of probable usefulness of at least ten years under one or both of subdivision 12 and 12-a (No. 42);
- (n) Upgrades to wastewater pumps, a class of objects or purposes, at an estimated maximum cost of \$83,000, with a period of probable usefulness of thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law (No. 44);
- (o) Stabilization of the Grieme Avenue slope, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$72,000, with a period of probable usefulness of fifteen years pursuant to subdivision thirty-five of paragraph a of Section 11.00 of the Local Finance Law, as indicated in a memorandum of Richard D. Miller, P.E., City Engineer (No. 48);
- (p) Planning and Design work for proposed improvements to the Vly and Steele dam and the flood wall, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$88,000, with a period of probable usefulness of five years pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law (Nos. 52, 54);
- (q) Demolition of the Brookside Dam, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$55,000, with a period of probable usefulness of ten years pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law (No. 55);
- (r) Improvements to the sewer collector system required by New York State Department of Environmental Conservation consent order, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$143,000, with a period of probable usefulness of forty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law (No. 57);
- (s) Modifications to the Shuttleworth Dam or related wetlands as required by permit, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$33,000, with a period of probable usefulness of five years pursuant to subdivision thirty-five of paragraph a of Section 11.00 of the Local Finance Law (No. 56);
- (t) Additional or replacement equipment for wastewater processing, including effluent screens, at wastewater treatment facilities, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$352,000, with a period of probable usefulness of thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law (Nos. 58, 60);
- (u) ~~Evaluation of possible needed improvements to the wastewater collection system~~ Improvements and repairs to the water distribution system, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of ~~\$22,000~~ \$222,000, with a period of probable usefulness of ~~five~~ forty years pursuant to subdivision ~~sixty-two~~ one of paragraph a of Section 11.00 of the Local Finance Law (No. 62);
- (v) Construction of a sanitary sewer extension at Sandy Drive, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$195,000, with a period of probable usefulness of forty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law (No. 64);

(w) Main Street parking improvements, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$11,000, with a period of probable usefulness of ten years pursuant to subdivision twenty-one of paragraph a of Section 11.00 of the Local Finance Law (No. 65);

(x) Various improvements to parks and recreational facilities, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$160,000, with a period of probable usefulness of fifteen years pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law (Nos. 69, 70);

(y) Various Improvements to City Hall, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$105,000, with a period of probable usefulness of fifteen years pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, as the Building is at least a class "B" building within the meaning of subdivision 11 of said paragraph a (Nos. 73, 80);

(z) Acquisition of a time clock system, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$61,000, with a period of probable usefulness of five years pursuant to subdivision thirty-two of paragraph a of Section 11.00 of the Local Finance Law (No. 77);

**Section 3.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Controller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

**Section 4.** The faith and credit of said City of Amsterdam, Montgomery County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

**Section 5.** Such bonds shall be in fully registered form and shall be signed in the name of the City of Amsterdam, Montgomery County, New York, by the manual or facsimile signature the City Controller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

**Section 6.** The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

**Section 7.** All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Controller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine.

**Section 8.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 9.** The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 10.** This resolution shall take effect immediately upon its passage and the approval thereof by the Mayor, pursuant to Section C34 of the Charter of the City, and shall then be published in full in *The Recorder*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**MOTION TO AMEND** by Alderman Barone, in the title, Section 1 and Section 2 (u), underlined text is added and struck through text is to be deleted, passed with Aye. Alderman Russo was absent.

**RESOLUTION ADOPTED.** Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

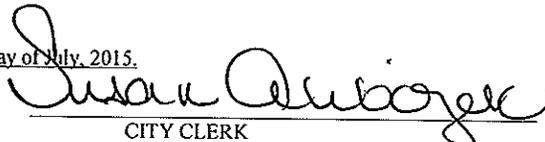


ANN M. THANE, MAYOR

DATED: July 14, 2015

This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Resolution, passed by the City of Amsterdam Common Council on July 7, 2015 a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 8<sup>th</sup> day of July, 2015.



CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 7/14/15

Received by: [Signature]