

CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 5, 2014

RESOLUTION #14/15-91

RESOLUTION ACCEPTING FUNDS FROM WATERFRONT FOUNDATION

BY: ALDERMAN RUSSO

WHEREAS, in July 2013 the City of Amsterdam paid the Amsterdam Waterfront Foundation(AWF) the amount of \$4,500.00 pursuant to a goods and services contract where the AWF agreed to provide a program of events for the public and that this payment was subject to repayment if the AWF were successful in fund raising, and

WHEREAS, the AWF has raised funds sufficient to repay a portion of the \$4,500.00 to the City, but still needs to retain funds for future programs.

RESOLVED, the City of Amsterdam will accept \$ \_\_\_\_\_ waive payment in full satisfaction of the of the terms of the goods and services contract.

MOTION TO TABLE by Alderman Russo passed with Aye. Alderwoman Beekman was absent. (11/5/14)

MOTION TO REMOVE FROM TABLE by Alderman Barone passed with Aye. Alderman Russo was absent. (11/18/14)

MOTION TO AMEND by Alderman Barone, in the second WHEREAS and RESOLVED clause amend (items struck through are deleted, underlined items are added) 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: Nov. 24, 2014

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 November 18, 2014, 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 19<sup>th</sup> day of November, 2014.

  
CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

11/24/14

Received by: 

CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-97

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETINGS

BY: ALDERWOMAN BEEKMAN

RESOLVED, that the minutes of the Common Council meeting of the November 5, 2014 are hereby adopted.

RESOLUTION ADOPTED. Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

  
ANN M. THANE, MAYOR

DATED: Nov. 24, 2014

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CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 11/24/14

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-98

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.

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: Nov. 24, 2014

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Received by SA



CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-100

RESOLUTION AMENDING BUDGET – TRANSPORTATION

BY: ALDERMAN RUSSO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget for receipt of insurance recovery for skylight replacement as a result of hail storm as follows:

INCREASE REVENUE:

CT-2680 Insurance Recovery \$3,750.00

INCREASE EXPENSE:

CT-5630-4029 Bldg Repair \$3,750.00

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: Nov. 24, 2014

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-101

RESOLUTION AMENDING BUDGET – WATER TREATMENT PLANT

BY: ALDERMAN LEGGIERO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget for receipt of insurance recovery for skylight replacement as follows:

INCREASE REVENUE:

F-2680 Insurance Recovery \$4,375.00

INCREASE EXPENSE:

F- 8330-4000 Bldg Repair \$4,375.00

RESOLUTION ADOPTED. Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

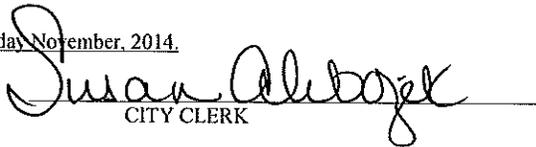
	Aye	Nay
Alderman Russo	Absent	
Alderman Beekman	√	
Alderman Barone	√	
Alderman Hatzenbuehler	√	
Alderman Leggiero	√	

  
ANN M. THANE, MAYOR

DATED: Nov. 24, 2014

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-102

RESOLUTION APPROVING AMSTERDAM HOUSING AUTHORITY 2015 BUDGET

BY: ALDERWOMAN BEEKMAN

WHEREAS, as New York State Public Housing Law, Article 3, Section 32, provides that the Amsterdam Housing Authority is authorized to employ, "subject to the provisions of the civil service law applicable to the municipality in which it is established, a general manager, a secretary, technical experts and such other officers, agents and employees as it may require, and determine their qualifications, duties and, subject to the approval of the local legislative body, fix their compensation," and

WHEREAS, the Board of Commissioners of the Amsterdam Housing Authority at its regular meeting on November 5, 2014, approved the AHA staff salaries for 2015, and

WHEREAS, the administrative and maintenance salaries for 2015, equal \$610,641.70 which will not be a charge on the City of Amsterdam,

RESOLVED, that the City of Amsterdam New York Common Council does hereby approve the resolution of the Amsterdam Housing Authority fixing the compensation of it various officers and employees for the year 2015.

RESOLUTION ADOPTED. Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

  
ANN M. THANE, MAYOR

DATED: Nov. 4, 2014

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 November 18, 2014, 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 19<sup>th</sup> day November, 2014.

  
CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 11/24/14

Received by: SA

CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-103

RESOLUTION AMENDING BUDGET – ENGINEERING

BY: ALDERMAN LEGGIERO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget to cover cost above budgeted amount of new dump truck as follows:

DECREASE EXPENSE:

A-5110-2011                      Used Vehicle                      \$4,500 (BAL. \$1,500)

INCREASE EXPENSE:

H-5110-2018                      Maintenance – dump truck                      \$4,500

RESOLUTION ADOPTED. Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

  
ANN M. THANE, MAYOR

DATED: Nov. 24, 2014

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 November 18, 2014, 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 19<sup>th</sup> day November, 2014.

  
CITY CLERK

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-105

RESOLUTION AMENDING BUDGET – FIRE

BY: ALDERMAN RUSSO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget for receipt of auction monies for sale of fire equipment as follows as follows:

INCREASE REVENUE:

A-2650.14 Sale of Scrap \$1,250.00

INCREASE EXPENSE:

A-3410-1001 Overtime \$1,250.00

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: NOV. 24, 2014 2014

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I have set my hand and the official seal of the City of Amsterdam this 19<sup>th</sup> day November, 2014.

  
CITY CLERK

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-106

RESOLUTION AMENDING BUDGET – SIRCHA PARK

BY: MAYOR THANE

RESOLVED, the Controller is authorized to amend the 2014-2015 budget for receipt of auction monies to be applied to Sircha Park refurbishment as follows as follows:

INCREASE REVENUE:

A-2650 Sale of Scrap \$2,010.00

INCREASE EXPENSE:

A-7020-4000 Contractual \$2,010.00

RESOLUTION ADOPTED. Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

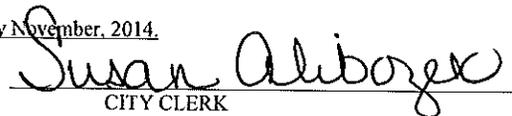
	Aye	Nay
Alderman Russo	Absent	
Alderman Beekman	√	
Alderman Barone	√	
Alderman Hatzenbuhler	√	
Alderman Leggiero	√	

  
ANN M. THANE, MAYOR

DATED: Nov. 24, 2014

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CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014

RESOLUTION #14/15-107

RESOLUTION APPOINTING MEMBERS TO AIDA BOARD

BY: ALDERMAN BARONE

WHEREAS, there are two vacancies on the AIDA as a result of resignations,

RESOLVED, the following are hereby appointed to the AIDA Board effective immediately:

Douglas Landon, 5 Coolidge Road, Amsterdam  
Michael McKenney, 33 Stewart Street, Amsterdam

MOTION TO AMEND by Alderman Russo, in the RESOLVED clause insert clause amend (items underlined items are added) 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: \_\_\_\_\_, 2014

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**CITY OF AMSTERDAM, NY  
COMMON COUNCIL  
NOVEMBER 18, 2014**

**RESOLUTION #14/15-108**

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE DIVISION OF ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE COMMISSION**

**BY: MAYOR THANE**

**WHEREAS**, the City of Amsterdam (the "City") has entered into continuing disclosure agreements (the "Continuing Disclosure Agreements") in connection with certain issuances of its bonds or notes (the "Obligations");

**WHEREAS**, in the Continuing Disclosure Agreements, the City agreed to file: (i) certain financial information and operating data, (ii) audited financial statements and (iii) material events notices with designated repositories for such data, in accordance to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended ("Rule 15c2-12");

**WHEREAS**, the Division of Enforcement (the "Division") of the U.S. Securities and Exchange Commission ("SEC") has announced its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative") as a regulatory response to what the SEC perceives as potentially widespread violations of federal securities law (such as Rule 15c2-12), by municipal issuers and underwriters, specifically, their failure to ensure that official statements properly describe any failures by issuers to comply with their prior continuing disclosure undertakings;

**WHEREAS**, under the MCDC Initiative, municipal issuers whose final official statements contain inaccurate descriptions of prior continuing disclosure compliance, and underwriters that have underwritten bond offerings in which final official statements contain such inaccurate statements, may self-report possible violations of federal securities laws to take advantage of more "lenient" standardized settlement terms;

**WHEREAS**, the standardized settlement terms offered to issuers that self-report under the MCDC Initiative (if the SEC chooses to bring an enforcement action) will not include monetary penalties but will include: a cease and desist order, without admitting a violation, and an agreement by the issuer to (i) establish policies and procedures for continuing disclosure, (ii) comply with its continuing disclosure undertakings in the future, (iii) cooperate with any subsequent investigation by the SEC, (iv) disclose the settlement terms in future official statements, and (v) to certify compliance with its agreement after one year;

**WHEREAS**, in contrast to the standardized settlement terms of the MCDC Initiative, the Division will likely recommend and seek monetary penalties in any enforcement actions against issuers that do not self-report under the MCDC Initiative;

**WHEREAS**, in connection with certain of the Obligations, official statements were prepared (the "Official Statements"), in which the City made certain representations with respect to the City's past compliance with its prior Continuing Disclosure Agreements;

WHEREAS, the City has reviewed its Official Statements and its compliance with its Continuing Disclosure Agreements and, after consultation with its financial and legal advisors, has concluded that it is in the best interest of the City to protect itself from potential monetary penalties to participate in the MCDC Initiative by self-reporting certain of its prior Official Statement disclosures regarding the City's prior compliance with its Continuing Disclosure Agreements by the December 1, 2014 reporting deadline;

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

**Section 1.** The City Controller, as chief fiscal officer of the City, is hereby authorized to cause a filing with the SEC under the MCDC Initiative to be made by December 1, 2014, and to execute and deliver all such documentation necessary or convenient to complete such filing, with the assistance of financial and legal counsel.

**Section 2.** It is hereby determined that the establishment of policies, procedures and training for continuing disclosure is in the best interest of the City and the Common Council of the City declares its intent to consider such policies, procedures and training for continuing disclosure as shall be proposed by the City Controller at one or more future meetings of the Common Council of the City.

**Section 3.** In the event the Division recommends an enforcement action which is approved by the SEC and is limited to the standardized settlement terms of the MCDC Initiative, the City Controller is further authorized to execute an agreement on behalf of the City containing such standardized settlement terms and is authorized to take the steps necessary to comply with such terms including the undertakings set forth therein.

**Section 4.** The City Controller is hereby authorized to take any and all other action as may be necessary or desirable in order to carry out the provisions of this resolution.

**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: Nov. 24, 2014

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CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 11/24/14

Received by: 

**CITY OF AMSTERDAM, NEW YORK  
COMMON COUNCIL MEETING  
NOVEMBER 5, 2014**

**ORDINANCE 2014-11**

**AN ORDINANCE REVISING CITY CODE Chapter 228-43 STOP INTERSECTIONS**

**BY: ALDERMAN LEGGIERO**

The City of Amsterdam, in Common Council convened, does hereby,

**ORDAIN AND ENACT** as follows:

Chapter §228-43 Schedule XI "Stop Intersections" of the code of the City of Amsterdam is hereby amended as indicated below: (items struck through are deleted, underlined items are added)

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Location</u>
<del>Florida</del>	<del>West</del>	<del>intersection with Broadway</del>

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

**ORDINANCE ADOPTED.** Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

  
ANN M. THANE, MAYOR

Dated: Nov. 24, 2014

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I have set my hand and the official seal of the City of Amsterdam this 19<sup>th</sup> day November, 2014.

  
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CITY OF AMSTERDAM, NEW YORK  
COMMON COUNCIL MEETING  
NOVEMBER 5, 2014

**ORDINANCE 2014-12**

**AN ORDINANCE REVISING CITY CODE CHAPTER 217-9 TAXI**

**BY: ALDERMAN LEGGIERO**

The City of Amsterdam, in Common Council convened, does hereby,

**ORDAIN AND ENACT** as follows:

Chapter §217 of the code of the City of Amsterdam is hereby amended as indicated below: (items struck through are deleted, underlined items are added)

**§217-2 Application.**

Taxicab permits and taxicab drivers' permits shall be issued by the City Clerk upon receipt of the permit fee as provided by this chapter, upon written application on a form approved by the ~~Common Council~~ Chief of Police. The application shall have attached to it two copies of a recent photograph of the head and shoulders and fingerprints of the applicant. Each applicant for a taxicab permit or a taxicab driver's permit shall have attached to the application a certification by the Police Chief of the City of Amsterdam that the applicant has not been convicted of one alcohol- or drug-related offense in the past five years or two alcohol- or drug-related offenses in the past ten years. The look-back period of five and ten years begins on the date of application. The Chief of Police shall review the criminal history of all applicants and determine if the applicant's criminal history indicates that they may pose a risk to the public. The Chief of Police shall notify the City Clerk of this review and the Clerk shall not issue a permit to any individual determined by the Chief of Police to pose a risk to the public.

**§217-9 Revocation and suspension.**

- A. Any taxicab driver's permit shall be immediately suspended for a period of 60 days if a driver has had convictions for two moving violations within a twelve-month period.
- B. If a taxicab driver is convicted of more than two moving violations within any eighteen-month period, the Chief of Police may revoke a taxicab driver's permit or impose an additional a suspension of up to six months.
- C. A taxicab driver's permit ~~shall~~ may be permanently revoked upon the conviction of the driver of a felony ~~or~~ and shall be revoked upon the conviction of driving while intoxicated or driving while ability is impaired. The Chief of Police will review all situations in which drivers have felony convictions and shall permanently revoke the permit if the conviction shows that the taxi cab driver would pose a risk to the public.
- D. The Chief of Police may revoke a taxicab permit or a taxicab driver's permit or suspend same for a period of 60 days if the person operating pursuant to the permit is guilty of violating the provisions of this chapter.
- E. No taxicab driver's permit or taxicab permit shall be suspended or revoked pursuant to Subsection B or D hereof, except upon a hearing before the ~~Common Council~~ Chief of Police at which the permit holder may be represented by counsel. The permit holder shall be given at least 10 days' notice of the hearing.

This Ordinance shall take effect pursuant to Section 33 of the Charter of the City of Amsterdam.

**ORDINANCE ADOPTED.** Alderman Russo was absent.

COMMON COUNCIL  
City of Amsterdam, NY

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

  
ANN M. THANE, MAYOR

Dated: NOV. 24, 2014

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I have set my hand and the official seal of the City of Amsterdam this 19<sup>th</sup> day November, 2014.

  
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