

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
OCTOBER 3, 2012
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
*Department Head Presentations:
Rob Spagnola, Recreation*
- VII. Public Participation
- VIII. Controller's Report
- 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) Scheduling of Committee Meetings
 - (h) Other
- XI. Executive Session (if required)
- XII. Adjournment

7:15 pm Public Hearings – Ordinance 2012-C followed by Ordinance D

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

- | | |
|--|-----------------|
| 73. RESOLUTION ADOPTING MINUTES | DEROSS |
| 74. RESOLUTION APPROVING AUDIT | LEGGIERO |
| 75. RESOLUTION AMENDING BUDGET – RECREATION | ISABEL |
| 76. RESOLUTION AMENDING BUDGET – ENGINEERING | LEGGIERO |
| 77. RESOLUTION AUTHORIZING CONTRACT WITH MONT. CO.
DPW – SNOW & ICE CONTRACT/MOWING | MAYOR |
| 78. RESOLUTION AMENDING BUDGET – POLICE | ISABEL |
| 79. RESOLUTION TRANSFERRING FUNDS – RECREATION | ISABEL |
| 80. RESOLUTION TRANSFERRING FUNDS – RECREATION | ISABEL |
| 81. RESOLUTION AWARDING BID – STREET RESURFACING | LEGGIERO |
| 82. RESOLUTION AWARDING BID – DPW & BUS GARAGE
RESURFACING | LEGGIERO |

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-73

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERWOMAN DEROSI

RESOLVED, that the minutes of the Common Council meeting of September 19, 2012 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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-74

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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-75

RESOLUTION AMENDING BUDGET – RECREATION

BY: ALDERMAN ISABEL

WHEREAS, \$4,252.40 was received from the Amsterdam Beautification Committee to cover cost of flowers throughout the City,

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

INCREASE REVENUE:

A-2705	Gifts & Donations	\$4,252.40
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INCREASE EXPENSE:

A-7020-4000	Contractual	\$4,252.40
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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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-76

RESOLUTION AMENDING BUDGET- ENGINEERING

BY: ALDERMAN LEGGIERO

WHEREAS, an insurance reimbursement of \$9,253.77 has been received for a motor vehicle accident on Clizbe Avenue & Ellsworth Street in which a fire hydrant was damaged,

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

INCREASE REVENUE:

F-2680	Insurance Recoveries	\$6,358.52
G-2680	Insurance Recoveries	\$672.64
A-2680	Insurance Recoveries	<u>\$2,222.61</u>
	Total	\$9,253.77

INCREASE EXPENSE:

F-40-8340-1001	Personnel Services	\$2,685.81
F-40-8340-2012	Equipment & Supplies	\$ 25.00
F-40-8340-4042	Replacement Parts	\$2,680.93
F-40-8340-4070	Vehicle Repair	\$ 652.84
F-40-8340-4074	Blacktop	\$ 226.44
F-40-8340-4075	Rubble/Sand/Cement	<u>\$ 87.50</u>
	Sub Total	\$6,358.52
G-40-8130-4070	Vehicle Repair	\$ 672.64
A-22-5110-1001	Personnel Services	\$1,373.87
A-22-5110-2012	Equipment & Supplies	\$ 775.29
A-22-5110-4074	Blacktop	\$ 8.45
A-22-5110-4075	Rubble/Sand/Cement	<u>\$ 65.00</u>
	Sub Total	<u>\$ 2,222.61</u>
	Total	\$9,253.77

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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-77

**RESOLUTION APPROVING CONTRACT SNOW & ICE REMOVAL AND MOWING
WITH MONTGOMERY COUNTY**

BY: MAYOR THANE

WHEREAS, the Montgomery County Commissioner of Public Works has submitted a contract to compensate the City of Amsterdam for the removal of snow and the control of ice from County roads located within the City of Amsterdam, pursuant to Section 135-a of the Highway Law and for the cutting and removal of grass and brush within the bounds of County roads located within the City of Amsterdam pursuant to Section 135 of the Highway Law, and

RESOLVED, the Mayor is authorized to execute a two year contract with Montgomery County in the amount of \$1,942.50 for the year 2013 and \$1,942.50 for the year 2014 for removal of snow and control of ice, and in the amount of \$129.50 for the year 2013 and \$129.50 for the year 2014 for grass and brush removal.

COMMON COUNCIL
City of Amsterdam, NY

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



Contract for Snow &
Ice Control & Mowing

ANN M. THANE, MAYOR

Dated: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-78

RESOLUTION AMENDING BUDGET – POLICE

BY: ALDERMAN ISABEL

WHEREAS, an insurance recovery check in the amount of \$1,741.70 has been received for damages to a police car damaged in an accident,

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

INCREASE REVENUE:

A-2680	Insurance Recovery	\$1,741.70
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INCREASE EXPENSE:

A-3120-4021	Equip. Repair	\$1,741.70
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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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-79

RESOLUTION TRANSFERRING FUNDS – RECREATION

BY: ALDERMAN ISABEL

WHEREAS, new computers and a printer are needed for the recreation department and money is available from unused salary of assistant,

RESOLVED, the Controller is authorized to transfer funds in the 2012-13 budget as follows:

FROM:

A-7020-1010	Parttime Seasonal	\$2,500.00 (bal. \$7,2762.50)
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TO:

A-7020-2000	Equipment/supplies	\$2,500.00
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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: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-80

RESOLUTION TRANSFERRING FUNDS – RECREATION

BY: ALDERMAN ISABEL

WHEREAS, seven new windows are needed at the City Pool building,

RESOLVED, the Controller is authorized to transfer funds in the 2012-13 budget as follows:

FROM:

A-7020-1009	Pool Salary	\$2,500.00 (bal \$5,234.50)
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TO:

A-7020-2000	Contractual	\$2,500.00
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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>		
<u>Controller</u>		
<u>Mayor Thane</u>		

ANN M. THANE, MAYOR

Dated: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-81

RESOLUTION AWARDING BID – STREET RESURFACING

BY: ALDERMAN LEGGIERO

WHEREAS, bids for street resurfacing were advertised, received and opened by the City Clerk, bid sheet attached, and reviewed by the City Engineer,

RESOLVED, Kubricky Construction is hereby awarded the bid for street resurfacing in the amount of \$421,656.78, and

FURTHER RESOLVED, the 2012-2013 road program consists of the following: Van Dyke Avenue from Northampton to Chapel Place; Sylvia Lane; Stewart Street from Henrietta Street to Elmwood Street; Lodge Street from Lenox Street; and Julia Street from Church Street o Young Avenue.

COMMON COUNCIL
City of Amsterdam, NY

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



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ANN M. THANE, MAYOR

Dated: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 3, 2012**

RESOLUTION #12/13-82

RESOLUTION AWARDING BID – DPW & BUS GARAGE RESURFACING

BY: ALDERMAN LEGGIERO

WHEREAS, bids for DPW and Bus Garage resurfacing were advertised, received and opened by the City Clerk, bid sheet attached, and reviewed by the City Engineer,

RESOLVED, DelSignore Blacktop Paving Inc. is hereby awarded the bid for street resurfacing in the amount of \$229,295.00,

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay

Alderman Isabel		

Alderwoman Beekman		

Alderwoman DeRossi		

Alderman Dybas		

Alderman Leggiero		



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ANN M. THANE, MAYOR

Dated: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 19, 2012**

Ordinance Number 2012-C (to be known as Ordinance Number 2012-6 if adopted)

AN ORDINANCE AMENDING SIDEWALK CONSTRUCTION MATERIAL REQUIREMENTS AND PROHIBITING UNAUTHORIZED REMOVAL OF SIDEWALKS AND CURBS

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

Chapter 206 of the code of the City of Amsterdam is hereby amended as indicated below: (Note: all underlined items are added material, all struck through items are to be deleted and all other unmodified wording is existing language that will remain in effect.)

ARTICLE VI, Sidewalk Construction [Adopted 4-19-1912]

§206-17. Permitted materials.

A. All sidewalks, curbs and gutters laid, made or constructed in the City of Amsterdam shall be either of stone or, concrete ~~or fine mixed macadam~~. [Amended 9-21-1954]

B. No sidewalk shall be less than five feet wide. When the total width of the sidewalk is more than six feet, the inner edge of the walk will be placed eight inches from the property line, unless otherwise directed by the Director of Public Works or City Engineer.

C. This article is applicable only to intended to sidewalks, curbs and gutters, laid , made or constructed adjacent to city streets or in municipal right of ways.

§206-18. Stone requirements.

When sidewalks, curbs and gutters are constructed of stone, they shall conform to the following specifications:

A. Foundation. There shall be put under all flagging laid a filling of sand, free from loam or other impurities, or clean gravel ~~or coal ashes~~, not less than two inches in depth.

B. Sidewalk. Flagging shall be of good stone, free from wanes and warping, not less than 2 1/2 inches thick. No stone shall be less than five feet in length, except that when building an eight-foot walk, two four-foot stones may be used.

C. Curbs. [Amended 3-6-1917]

(1) Curbing shall be of good quality stone axed to true lines and shall be six inches in thickness, not less than three feet in length and 18 inches in depth.

(2) Granite curbs shall be of dimensions specified above or, if set in a concrete base, shall have a depth of not less than 12 inches. The concrete base shall be of 1:2 and 1/2:5 mixture and shall be at least 12 inches in width at the bottom, extending on the back to within six inches of the top of the curb and shall be of such a depth as to give a bed of at least four inches under any part of the stone or a total depth from the top of the curb of at least 18 inches.

D. Gutters. Gutters shall be constructed by paving next to the curb three feet in width, with cobblestone, vitrified brick, dimension granite block or concrete. Gutter stones must be laid in six inches good sand, gravel or cinders and thoroughly rammed to an even surface.

§206-19. Concrete requirements.

When sidewalks, curbs and gutters are constructed of concrete, they shall conform to the following specifications:

A. Subgrade for walk. The soil shall be excavated to the proper grade and of sufficient depth to receive the sidewalk and the surface rammed solid and graded to conform to finished work. Where soft spots are found, the earth shall be excavated and filled with stone, gravel or hard mill cinders, which shall be wet and thoroughly tamped.

B. Concrete for base. The concrete for base shall consist of one part of portland cement of standard test, two parts of sand and four parts of crushed stone, free from dust, or clean gravel, the aggregates not to exceed 3/4 inch in size.

C. Top finish. The wearing surface shall consist of one part of portland cement and two parts of clean, sharp sand or hard-crushed stone or gravel, not to exceed 1/4 inch in size.

D. Mixing. The sand, cement and aggregate shall be thoroughly mixed dry, when water shall be added to bring the material to proper consistency, and placing the concrete in the forms shall be done within 30 minutes from the time the mixing is completed. All concrete shall be made and mixed after positive measurement of constituent elements so that proper proportions can be obtained.

E. Size and thickness of blocks. Where the width of the walk does not exceed five feet, the slabs shall be divided in sections not to exceed 25 square feet; they shall be four inches thick and shall consist of three-inch concrete base and one-inch top or wearing surface. Where walks are to be six feet in width, not more than 36 square feet shall be contained in each section, and shall be made five inches in thickness, allowing 3 1/2 inches for base and 1 1/2 inches for wearing surface. All walks above six feet shall be of thickness in proportion to the above sizes. [Amended 9-21-1954]

F. Finishing. All top surfaces shall be finished with brush or wooden float and all edges and joints shall be rounded with suitable edging and jointing tools.

G. Joints. One-quarter-inch dividing strips shall be placed at right angles with street line and shall not be removed until after top finish has been struck off, leaving each section separate when finished.

H. Curbs. The subgrade and materials for curbs shall be as per specifications for sidewalks and shall be set to the proper line and grades as established by the City Engineers and shall be built in proper forms and shall be 12 inches in height and six inches in thickness and shall be placed on a subbase six inches thick and one foot wide. The sections shall not be more than six feet in length and shall be separated by a one-fourth-inch joint cut through to the subbase. The outside edge shall be rounded with a suitable tool. The front shall be set plumb and floated to a true surface. The top of curb and sidewalk shall conform to each other and shall be graded towards street 1/4 inch to the foot and finished to a true surface. The base and curb shall be placed in one pouring. [Amended 9-21-1954]

I. Gutters. The gutter shall be six inches thick and one foot wide with the outside edge rounded and shall be of the same specifications as the sidewalk and shall be placed after the curb has been constructed or may be made solid with the curb and shall be brought up to within six inches of top of curb. The top shall be finished with brush and wooden float and the joints shall be 1/4 inch and cut entirely through and to conform as to the length with curb joints. Top graded toward the curb 1/2 inch: Cobblestone, vitrified brick or granite gutters two feet wide shall be constructed next to the concrete gutter herein specified. Gutter stones must be laid in six inches good sand, gravel or cinders and thoroughly rammed to an even surface. [Amended 6-18-1912]

J. Protection. All work shall be sprinkled after initial set and protected from traffic for three days after completion.

K. All dirt and rubbish shall be removed and the premises left clean and in order.

L. All city and state laws and regulations pertaining to work in progress shall be observed.

~~§206-20. Macadam requirements. [Added 9-21-54]~~

~~A. Upon a suitable prepared base, there shall be placed four inches of stone base, compacted and finished to grade, to receive the macadam mix. Upon the rolled base there shall be placed 1-1/2 inches of fine mix macadam to the finished grade.~~

~~B. Rubbish. All dirt and rubbish shall be removed and the premises left clean and in order.~~

§206-21. Directions and supervision.

A. All sidewalks, curbs and gutters shall be made, laid or constructed under the directions and supervision of the Director of Public Works or City Engineer, who shall supervise and determine the width, grade and location of said sidewalks, curbs and gutters where the same shall not have been otherwise determined.

B. No person shall remove a sidewalk or curb adjacent to a city street without written permission of the Director of Public Works or City Engineer.

§206-22. Penalties for offenses.

Any person violating any of the provisions of the foregoing article shall be guilty of a misdemeanor and subject to a fine of up to \$1,000.00 or imprisonment of up to one year or both such fine and imprisonment.

COMMON COUNCIL
City of Amsterdam, NY

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

ANN M. THANE, MAYOR

Dated: _____, 2012

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
SEPTEMBER 19, 2012**

Ordinance Number 2012-D (to be known as Ordinance Number 2012-7 if adopted)

AN ORDINANCE AMENDING SPEED LIMITS ON CHURCH STREET

BY: ALDERMAN DYBAS

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

Chapter 228 of the code of the City of Amsterdam is hereby amended as indicated below: (Note: all underlined items are added material, all struck through items are to be deleted and all other unmodified wording is existing language that will remain in effect.)

§228-36. Schedule II: Speed Limits.

In accordance with the provisions of §228-5, speed limits other than 30 miles per hour are hereby established as indicated upon the following described streets or parts thereof:

Name of Street	Speed limit (mph)	Location
Clizbe Avenue	25	From the City line to Church Street and Cornell Street
<u>Church Street</u>	<u>25</u>	<u>From intersection with Prospect Ave. northwest to City line</u>
Edson Street	25	Entire length

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
<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: _____, 2012