

COMMON COUNCIL MEETING

March 1, 2022

6:00PM

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:
 - (d) Introduction of Ordinances:
 - (e) Introduction of Local Laws:
 - (f) Committee Reports
 - (g) Scheduling of Committee Meetings
 - (h) Other
- XI. Executive Session
- XII: Adjournment

5:30PM COW

- 1. Review of Agenda Items
- 2. Any other business to come before the Council

5:50pm Public Hearing – CDBG 2 Hewitt St

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OLD BUSINESS

NEW BUSINESS

151. RESOLUTION APPROVING MINUTES	MARTUSCELLO
152. RESOLUTION AMENDING BUDGET- WWTP SCADA UPGRADE	S. GOMULA
153. RESOLUTION AUTHORIZING CONTACT RENEWAL – MUNICIPAL SOLUTIONS	MAYOR
154. RESOLUTION REGARDING CHAPTER 250 ZONING – ACCESSORY DWELLING UNIT	S. GOMULA
155. RESOLUTION MAKING REFERRAL TO MONTGOMERY COUNTY PLANNING/ADUs	S. GOMULA
156. RESOLUTION APPROVING AUDIT	COLLINS

INTRODUCTION OF ORDINANCE A OF 2022 (to be known as Ordinance 1 of 2022 if adopted) AN ORDINANCE AMENDING AMSTERDAM CITY CODE SECTION 250 OF THE CODE OF THE CITY OF AMSTERDAM ZONING – ACCESSORY DWELLING UNIT (ADU)

COMMON COUNCIL MEETING

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RESOLUTION #21/22-151

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN MARTUSCELLO

RESOLVED, the minutes of the last Common Council Regular Meeting of February 15, 2022 are hereby adopted.

City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Quist-Demars</u>		
<u>Alderman D. Gomula</u>		
<u>Alderman Collins</u>		
<u>Alderman S. Gomula</u>		
<u>Alderman Martuscello</u>		

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING
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RESOLUTION #21/22-152

RESOLUTION AMENDING BUDGET- WWTP SCADA UPGRADE

BY: ALDERMAN S. GOMULA

WHEREAS, a budget amendment is necessary to make available a portion of the ARPA funding for engineering services performed for the SCADA upgrade at the Waste Water Treatment Plant; now therefore be it

RESOLVED, the Controller is authorized to amend the 2021/2022 budget as follows:

INCREASE REVENUE:

G.4089	Other/General Gov't Aid	\$13,788.90
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INCREASE EXPENSE:

G.8120.4000	Contractual Expenses	\$13,788.90
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City of Amsterdam, NY

	Aye	Nay

Alderman Quist-Demars		

Alderman D. Gomula		

Alderman Collins		

Alderman S. Gomula		

Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2022

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RESOLUTION #21/22-153

RESOLUTION AUTHORIZING CONTACT RENEWAL – MUNICIPAL SOLUTIONS

BY: MAYOR CINQUANTI

RESOLVED, the Mayor is authorized to renew the attached contract with Municipal Solutions for general financial services.

City of Amsterdam, NY

	Aye	Nay
Alderman Quist-Demars		
Alderman D. Gomula		
Alderman Collins		
Alderman S. Gomula		
Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

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RESOLUTION #21/22 - 154

A RESOLUTION REGARDING CHAPTER 250 OF THE CODE OF THE CITY OF AMSTERDAM ZONING – ACCESSORY DWELLING UNIT (ADU)

BY: ALDERMAN S. GOMULA

WHEREAS, the proposed change to Chapter 250 of the Code of the City of Amsterdam for the inclusion of Accessory Dwelling Unit (ADU) having been introduced as Ordinance 1 of 2022 at the Amsterdam Common Council Meeting held on March 1, 2022; and

WHEREAS, the City of Amsterdam Community and Economic Development department is the planning unit responsible for generating the City of Amsterdam Zoning Code Update (the "Code Update") for the City of Amsterdam; and

WHEREAS, the City of Amsterdam is including a new definition and use classified as Accessory Dwelling Unit (ADU); and

WHEREAS, the adoption of the Code Update requires a SEQR determination; and

WHEREAS, the City of Amsterdam Common Council (Common Council) has reviewed the Short Environmental Assessment Form (EAF) Part I and Part 2 pursuant to the State Environmental Quality Review Act (6 NYCRR Part 617, "SEQR") and has made a finding of no significant environmental impacts associated with the adoption of the Code Update, for the reasons noted on the EAF, and that the adoption of the Code Update can be classified as a Type 1 action under SEQR; and

NOW THEREFORE, BE IT RESOLVED that the City of Amsterdam hereby declares itself lead agency for SEQRA review purposes of said unclassified action; and be it further

RESOLVED, that a Short Environmental Assessment Form be completed for consideration by the City of Amsterdam; and be it further

RESOLVED, that a public hearing is to be held on March 15, 2022 at 5:50 p.m.

City of Amsterdam, NY

	Aye	Nay
Alderwoman Quist-Demars		
Alderman D. Gomula		
Alderwoman Collins		
Alderman S. Gomula		
Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2022

COMMON COUNCIL MEETING

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RESOLUTION #21/22 -155

RESOLUTION MAKING REFERRAL TO MONTGOMERY COUNTY PLANNING BOARD PURSUANT TO GENERAL MUNICIPAL LAW 239-m REGARDING PROPOSED ZONING MODIFICATIONS OF ACCESSORY DWELLING UNIT (ADU)

BY: ALDERMAN S. GOMULA

WHEREAS, the City of Amsterdam having declared itself as lead agency for SEQRA review purposes for a proposed zoning amendment of inclusion of the definition of Accessory Dwelling Unit (ADU) as a Special Permitted Use into the Low Density Neighborhood (LDN), Medium Density Neighborhood (MDN), and Medical Residential Neighborhood (MRN); and

WHEREAS, the proposed zoning modifications herein having been introduced as Ordinance 1 of 2022 at the Amsterdam Common Council Meeting held on March 1, 2022; and

WHEREAS, referral of this matter to the Montgomery County Planning Board being required pursuant to General Municipal Law, Section 239-m; be it

NOW THEREFORE, BE IT RESOLVED that referral of this matter is hereby respectfully made to the Montgomery County Planning Board pursuant to General Municipal Law 239-m.

City of Amsterdam, NY

	Aye	Nay
_____ Alderwoman Quist-Demars		
_____ Alderman D. Gomula		
_____ Alderwoman Collins		
_____ Alderman S. Gomula		
_____ Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR

DATED: _____,

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RESOLUTION #21/22-156

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN COLLINS

RESOLVED, the bills and documentation of same presented in “Pre-Check Writing Report Parameter” dated March 1, 2022 to the Common Council and affirmed by the Controller as correct and to be paid, the City Clerk is authorized and empowered to issue warrants in payment of same.

City of Amsterdam, NY

	<u>Aye</u>	<u>Nay</u>
<u>Alderman Quist-Demars</u>		
<u>Alderman D. Gomula</u>		
<u>Alderman Collins</u>		
<u>Alderman S. Gomula</u>		
<u>Alderman Martuscello</u>		

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

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INTRODUCTION OF ORDINANCE A OF 2022 (to be known as Ordinance 1 of 2022 if adopted)

AN ORDINANCE AMENDING AMSTERDAM CITY CODE SECTION 250 OF THE CODE OF THE CITY OF AMSTERDAM ZONING – ACCESSORY DWELLING UNIT (ADU)

BY: S. GOMULA

Part 1: Legislative Intent: The intent of these provisions is to allow for related family members to reside on the premises. When authorized by a special use permit, Accessory Dwelling Units (ADUs) may be established under the following regulations:

1. Only one ADU is allowed per single-family parcel. ADUs shall not be permitted on the same lot as a two-family or multifamily dwelling.
2. The property owner shall occupy the primary dwelling. An ADU must be occupied by family members related by blood or marriage, such as elderly parents or dependent adult children, or caregivers.
3. The ADU shall be contained within the principal structure or within an accessory structure, such as a detached garage. ADUs may not be located in cellar areas, except where at least one wall of the ADU is at grade level with direct access to the outside. The ADU may not be its own structure.
4. When an ADU is within or attached to the principal structure, only one entrance may face the front lot line. ADUs may not be accessed via a driveway separate from that serving the primary dwelling unit.
5. An ADU may not exceed 40% of the floor area of the principal dwelling or 800 square feet of gross floor area, whichever is less.
6. An ADU shall not have separate utility meters or services from the street.
7. No home occupation, daycare, professional office, or renting of rooms shall be allowed in an ADU.
8. Adequate parking shall be provided.

Part 2: Modification – Amsterdam City Code, Section 250-4 and Section 250-5, which is the section that pertains to the definitions and word use, and the zoning districts in the City of Amsterdam, is amended to include the new definition of Accessory Dwelling Unit (ADU) as a Special Permitted Use into the Low Density Neighborhood (LDN), Medium Density Neighborhood (MDN), and Medical Residential Neighborhood (MRN).

Part 3: Effectiveness: Following a public hearing, an adoption of a negative declaration for SEQRA review purposes and upon ratification by the Common Council, the instant Ordinance shall take effect pursuant to Section C33 of the Charter.

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ACCESSORY DWELLING UNIT (ADU)

- Special Permitted Use in Low Density Neighborhood (LDN), Medium Density Neighborhood (MDN), and Medical Residential Neighborhood (MRN). (Requires Planning Commission approval.)
- W/S/G user fees will be charged for the ADU

A second dwelling unit within or added to a single-family dwelling, or within an accessory structure on the same lot as the principal building. Such dwelling shall be clearly accessory and incidental to the principal dwelling and intended for occupancy by family members.

Chapter 250, Section 55 Additional requirements for certain special permit uses - Accessory dwelling units (ADU):

The intent of these provisions is to allow for related family members to reside on the premises. When authorized by a special use permit, ADUs may be established under the following regulations.

9. Only one ADU is allowed per single-family parcel. ADUs shall not be permitted on the same lot as a two-family or multifamily dwelling.
10. The property owner shall occupy the primary dwelling. An ADU must be occupied by family members related by blood or marriage, such as elderly parents or dependent adult children, or caregivers.
11. The ADU shall be contained within the principal structure or within an accessory structure, such as a detached garage. ADUs may not be located in cellar areas, except where at least one wall of the ADU is at grade level with direct access to the outside. The ADU may not be its own structure.
12. When an ADU is within or attached to the principal structure, only one entrance may face the front lot line. ADUs may not be accessed via a driveway separate from that serving the primary dwelling unit.
13. An ADU may not exceed 40% of the floor area of the principal dwelling or 800 square feet of gross floor area, whichever is less.
14. An ADU shall not have separate utility meters or services from the street.
15. No home occupation, daycare, professional office, or renting of rooms shall be allowed in an ADU.
16. Adequate parking shall be provided.