

COMMON COUNCIL MEETING

November 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

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OLD BUSINESS

Local Law B of 2022- Modifying the City Charter regarding the procedure to follow to fill vacancy of Controller

NEW BUSINESS

74. RESOLUTION APPROVING MINUTES	MARTUSCELLO
75. RESOLUTION APPROVING 2023 RECREATION FEE SCHEDULE	MARTUSCELLO
76. RESOLUTION AMENDING BUDGET- AFD FIRE PREVENTION WEEK DONATION	COLLINS
77. RESOLUTION TRANSFERRING FUNDS- FINANCIAL MANAGEMENT SERVICES	MARTUSCELLO
78. RESOLUTION AUTHORIZING ENGINEERING SERVICES- WTP/MJ ENGINEERING	D. GOMULA
79. RESOLUTION ACCEPTING GRANT FROM NYS OFFICE OF CHILDREN AND FAMILY SERVICES	D. GOMULA
80. RESOLUTION APPROVING AUDIT	COLLINS

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LOCAL LAW “B” OF 2022 (TO BE KNOWN AS LOCAL LAW 2 OF 2022 IF ADOPTED.) TABLED

LOCAL LAW MODIFYING CITY CHARTER, SECTION C-17 REGARDING THE PROCEDURE TO FOLLOW TO FILL VACANCY OF CONTROLLER

Part 1: Legislative Intent –

By way of background, the former City Controller voluntarily resigned, effective August 12, 2022. The procedure to fill the vacancy of this local office is codified in the City Charter of the City of Amsterdam at Section C-17(A) which is restated to provide that when an vacancy is created in the positions of Mayor, City Controller, Alderman or Supervisor, the vacancy must be filled within 30 days of the effective date of the vacancy by an individual to be of the same political affiliation as the individual who vacated the position.

The City presently finds itself unable to strictly comply with the components of C-17 of the City Charter as presently codified as it pertains to political party affiliation and timing of the appointment made to fill the vacancy of Controller and is desirous to amend the City Charter to so as to validate the appointment of an individual without the logistical constraints imposed by the City Charter as presently codified at C-17.

With regard to the political party affiliation presently contained at C-17(A)(2) of the City Charter, the Common Council of the City of the City of Amsterdam recognizes a great distinction exists in the Office of City Controller as compared to the Offices of Mayor, Alderman and/or Supervisor and, in a general sense, the Office is far less political in nature as the Controller is the Chief Fiscal Officer for the City and has responsibilities and duties relating to fiscal operations, budgetary planning and management of payroll and debt service for the City. Given the same, it believed that the citizens and taxpayers are benefitted by freeing itself of the political party affiliation component of C-17 of the Charter as it pertains to the office of Controller.

With regard to the provision contained at C-17(A)(1) of the charter providing that a vacancy in the Offices of Mayor, Controller, Alderman, and/or Supervisors be filled within 30 days, the Common Council recognizes that this should always be the goal, including in the case of filling the vacancy of Controller, but at the same time, for all of the reasons stated above, the Common Council recognizes that the appointment of an individual to fill the vacancy of Controller cannot be logistically accomplished within thirty days of the date of the vacancy and wishes to safeguard the City with regard to the validity of such an appointment made subsequent to passing of thirty days of the date of such vacancy.

Pursuant to Municipal Home Rule Law, Section 10 (1), “In addition to powers granted in the constitution, the statute of local governments or in any other law,(i) every local government

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shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government”

With all of the above having been said, the legislative intent of the instant local law is to modify the City Charter of the City of Amsterdam, Section C-17A(1) to provide that in the case of filling the vacancy of Controller, an appointment made to fill said vacancy subsequent to the passing of thirty days of the vacancy shall not render said appointment to be invalid. Additionally, Section C-17(A)(2) shall be modified to remove the political party affiliation component of the individual appointed to fill the vacancy of Controller.

Part 2: Enactment: BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF AMSTERDAM, AS FOLLOWS, that the City Charter of the City of Amsterdam is modified as follows:

Modification #1: C-17A(1) – Modify by Adding a sentence at the end of this subsection reading as follows:

“An appointment made to fill the vacancy of Controller subsequent to the passing of thirty days of the date of the vacancy shall not render said appointment to be invalid.”

Modification #2: C-17(B) – Remove the term and reference to “Controller” in this subsection.

Part 3: Effectiveness: A public hearing having been held on September 20, 2022 and upon ratification by Common Council, the instant Local Law shall become effective pursuant to C-33 of the Charter.

MOTION TO TABLE on 9/20/22 by Alderwoman Quist-Demars Passed with an Aye

MOTION TO TABLE on 10/4/222 by Alderwoman Quist-Demars Passed with an Aye

MOTION TO TABLE on 10/18/22 by Alderman S. Gomula Passed with an Aye

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

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RESOLUTION #22/23-74

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN MARTUSCELLO

RESOLVED, the minutes of the last Common Council Meeting of October 18, 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

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RESOLUTION #22/23-75

RESOLUTION APPROVING 2023 RECREATION FEE SCHEDULE

BY: ALDERMAN MARTUSCELLO

WHEREAS, the Recreation Department is seeking approval on their 2023 proposed fee schedule for all events and activities; Now, therefore be it

RESOLVED, that the attached fee schedule for all Recreation events and activities is hereby approved.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2022

City of Amsterdam Tourism, Marketing and Recreation 2023 Vendor Application Form

Business/Organization:		Contact:	
Email Address (Required):			Phone:
Street:	City:	State:	Zip:
I am a (please check one): <input type="checkbox"/> Vendor <input type="checkbox"/> Food Vendor <input type="checkbox"/> Non Profit Vendor			

2023 Vendor Pricing

Vendor Pricing: 10x10ft: \$35 - 15x10ft: \$50 - 20x10ft: \$65 - 25x10ft: \$80 - 30x10ft: \$95
Food Vendor Pricing: 10x10ft: \$50 - 15x10ft: \$75 - 20x10ft: \$95 - 25x10ft: \$120 - 30x10ft: \$140
Non Profit Pricing: Discounted price for 1st booth space (10x10) \$15 Additional booths at regular pricing

2023 Vendor Events

Event	Date	10x10ft	15x10ft	20x10ft	25x10ft	30x10ft	Booth Size Per Event	Booth Cost Per Event
Spring Fling	May 20th							
RiverFest	Aug. 5th							
National Night Out	Aug. 1st							
ItaliaFest	Sept. 9th							
OktoberFest	Oct. 7th							

Online Registration also available at amsterdarny.gov/our-city/things-to-do **GRAND TOTAL \$**
Activity/ Product (Please describe ALL products accurately - Esp. Food & Beverage Vendors)

<p>*Food Vendors - CHECK ALL THAT APPLY & SIGN</p> <p><input type="checkbox"/> Cooking with oil (K Fire Extinguisher Required)</p> <p><input type="checkbox"/> Cooking with charcoal (ABC Fire Extinguisher Required)</p> <p><input type="checkbox"/> I have all proper permits as required by NYS Dept. of Health</p> <p>I understand I am responsible for providing my own fire extinguisher.</p> <p>Signature: _____</p>	<p style="text-align: center;">Electricity and Generators</p> <p style="text-align: center;">*Note - no electricity available at ANY event</p> <p><input type="checkbox"/> Yes, I will be bringing a generator (specify below)</p> <p><input type="checkbox"/> No, I will not be bringing a generator to any event</p> <p>If bringing a generator specify which events:</p>
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*All Vendors - Please Initial Below

I understand that booth spaces are measured *exactly* & I have registered accurately to fit in the space provided.
 I have submitted payment with my registration in the form of cash or check made payable to the City of Amsterdam

Vendor Terms and Conditions: 1) Space is limited at events and registration is not guaranteed through event date. Please sign up early! 2) Acceptance of application at discretion of Tourism, Marketing & Rec Dept. 3) Requests for booth space location will not be accepted. 4) Payment is required to reserve space. 5) Vendors must stay for entire length of event - no breaking down early. 6) If unable to attend an event, advanced notice is required. 7) Event setup information will be emailed to all vendors the week prior to event date. 8) No refunds. 9) Duplicate vendor types may be limited

I have read and agree to all Vendor Terms and Conditions.

CITY OF AMSTERDAM TOURISM, MARKETING & RECREATION 2023 SPONSORSHIP FORM

2023 Sponsorship Opportunities

Major Title Event Sponsorship - \$2,000

With a **Major Title Gold Sponsorship** you will receive: Your company name in the event title, sponsorship of **ALL 25+ other events/activities**, **ALL year long**, sponsor placement on all marketing & event materials for 25+ events in print, web and social media, sponsor name on any applicable title event giveaways, placement of your company banner at title events/programs, PA sponsor announcement at all applicable events, title event webpage linked to your business website; free Amsterdam Recreation Basketball League team sponsorship, 10x10 booth space for your business at Major Title event & sponsor name listed in 15k copies of Amsterdam map and brochure if secured by January 30th.

Select Event(s): _____

Exclusive Sponsorship Opportunities

<u>Sponsorship Item</u>	<u>Amount</u>	<u>Sponsor</u>
Official Pool Naming Rights	\$5,000	Available for sponsorship
Band Sponsor – All Applicable Events	\$5,000	Available for sponsorship
Amusement Rides – All Applicable Events	\$5,000	Available for sponsorship
Firework Sponsor- All Applicable Events	\$5,000	Available for sponsorship
Official Hotel of Amsterdam Events	\$2,000	Microtel by Wyndham
Water Ski Show at Independence Day & RiverFest	\$2,000	Available for sponsorship
St. Paddy's Day Pub Fest Trolley Transportation	\$1,500	Available for sponsorship
Bounce Houses- Camp, RiverFest, NNO	\$1,000	Available for sponsorship
Summer Camp Field Trip Bus Transportation	\$1,000	Available for sponsorship
Free Movies in Veteran's Park	\$1,000	Available for sponsorship
DJ - All Applicable Events	\$1,000	Available for sponsorship
Pizza Tent at ItaliaFest	\$1,000	Available for sponsorship
Homecoming Bonfire Shaved Ice	\$1,000	Available for sponsorship
OktoberFest Stein Hoisting Contest	\$1,000	Available for sponsorship
ItaliaFest Spaghetti Eating Contest	\$1,000	Lanzi Family Restaurants
ItaliaFest Homemade Wine Spirits Contest	\$1,000	Lanzi Family Restaurants
Tree Lighting Festival Christmas Tree	\$1,000	Available for sponsorship
FREE Weekday M-TH at the City Pool	\$250	Available for sponsorship

With an **Exclusive Sponsorship** you will receive: PA sponsor announcement at all applicable events/programs, sponsor name included on social media, sponsor name included in email, print & website marketing for selected event(s), Sponsor name on any applicable title event giveaways and placement of your company banner at title events/programs. Business name listed in 15k copies of 2022 Amsterdam map and brochure if secured by January 30th.

Select Event(s): _____

Silver Event Sponsorship \$500 Per Event

With a **Silver Sponsorship** you will receive: 10x10 booth space for selected events(s), PA sponsor announcement at all applicable events/programs, sponsor name included on social media, sponsor name included in email, print & website marketing for selected event(s) and name listed in 15k copies of 2022 Amsterdam map and brochure if secured by January 30th.

Select Event(s): _____

Contact Information

Business/Organization:	Contact:
Email:	Phone:
Address:	

Mail to: Amsterdam City Hall-61 Church St. - Amsterdam NY 12010- mpawlik@amsterdamny.gov 518-841-4307

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RESOLUTION #22/23-76

RESOLUTION AMENDING BUDGET- AFD FIRE PREVENTION DONATION

BY: ALDERWOMAN COLLINS

WHEREAS, a budget amendment is necessary to transfer funds donated by the Broadview Federal Credit Union to the Amsterdam Fire Department in recognition of Fire Prevention Week; Now, therefore be it

RESOLVED, that the Controller is authorized to amend the 22/23 Fiscal Year budget as follows:

INCREASE REVENUE:

A.27085 Gifts and Donations \$250.00

INCREASE EXPENSE:

A.3410.4000 Contractual Expenses \$250.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

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RESOLUTION #22/23-77

RESOLUTION TRANSFERRING FUNDS- FINANCIAL MANAGEMENT SERVICES

BY: ALDERMAN MARTUSCELLO

WHEREAS, a transfer of funds is necessary in order to pay for the contract with Kim Brumley for financial management services; now therefore be it

RESOLVED, that the Controller is authorized to transfer funds from the 22/23 Fiscal Year budget as follows:

DECREASE EXPENSE:

A.1325.1000	Personnel Services	\$2,925.00
CL.8160.1021.04	Personnel Services	\$2,925.00
F.8310.1000.04	Personnel Services	\$2,925.00
G.8130.1020.04	Personnel Services	\$2,925.00

INCREASE EXPENSE:

A.1325.4132	Consultant services	\$2,925.00
CL.1325.4132	Consultant services	\$2,925.00
F.1325.4132	Consultant services	\$2,925.00
G.1325.4132	Consultant services	\$2,925.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2022

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RESOLUTION #22/23-78

**RESOLUTION AUTHORIZING SUPPLEMENTAL ENGINEERING SERVICES –
WTP/MJ ENGINEERING**

BY: ALDERMAN D. GOMULA

WHEREAS, the Water Treatment Plant is seeking approval on supplemental services with MJ Engineering to meet design requirements of the replacement of carbon contractor underdrains;

WHEREAS, these services will be paid from F.8330.4086; Now, therefore be it

RESOLVED, Supplemental Engineering services are hereby authorized with MJ Engineering in an amount not to exceed of \$8,500.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

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RESOLUTION #22/23-79

RESOLUTION ACCEPTING GRANT FROM NYS OFFICE OF CHILDREN AND FAMILY SERVICES

BY: ALDERMAN D. GOMULA

WHEREAS, the City of Amsterdam has been awarded two grants requested by Assemblyman Angelo Santabara, said grants administered by the New York State of Office of Children and Family Services; and

WHEREAS, more specifically, the following grants having been awarded in the 2020-2021 State Budget

CONTRACT NUMBER TM10918	\$10,000	PROJECT TITLE SUMMER CAMP & BASKETBALL PROGRAM
CONTRACT NUMBER C029622	\$100,000	PROJECT TITLE LEARN TO SWIM & SUMMER CAMP

WHEREAS, the City is required to accept said grants within 120 days from the date that the legislature's initiative form was received by the City; Now, therefore be it

RESOLVED, that Mayor Michael Cinquanti is authorized to execute all necessary documents to effectuate the acceptance of the above-referenced grants.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2022

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RESOLUTION #22/23-80

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN COLLINS

RESOLVED, the bills and documentation of same presented in “Pre-Check Writing Report Parameter” dated November 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