

COMMON COUNCIL MEETING

December 20, 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

5:55 PUBLIC HEARING – Ordinance “G” of 2022 No Parking ALL TIMES Guy Park Ave North Side between 195 Guy Park and Clinton St.

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

OLD BUSINESS

NEW BUSINESS

113. RESOLUTION APPROVING MINUTES	MARTUSCELLO
114. RESOLUTION AUTHORIZING BUDGET AMENDMENT- DPW/MVA (GUY STREET)	QUIST-DEMARS
115. RESOLUTION TRANSFERRING FUNDS - GENERAL FUND (CODE CORRECTION)	MARTUSCELLO
116. RESOLUTION TRANSFERRING FUNDS - CODE ENFORCEMENT FUEL USAGE	MARTUSCELLO
117. RESOLUTION TRANSFERRING FUNDS – MICROSOFT OFFICE 365 BUSINESS LICENSE	MARTUSCELLO
118. RESOLUTION TRANSFERRING FUNDS – R. SCOTT WARREN (AMSTERDAM MUNICIPAL GOLF COURSE)	MARTUSCELLO
119. RESOLUTION TRANSFERRING FUNDS – KIM BRUMLEY (FINANCIAL MANAGEMENT SERVICES)	MARTUSCELLO
120. RESOLUTION AUTHORIZING SENATOR NEIL BRESLIN LEASE AGREEMENT	CINQUANTI
121. RESOLUTION ADOPTING CITY OF AMSTERDAM TRAVEL POLICY	MARTUSCELLO
122. RESOLUTION AUTHORIZING REQUEST FOR PROPOSAL RIVERLINK PARK CAFE	MARTUSCELLO
123. RESOLUTION AUTHORIZING SALE OF CITY-OWNED PROPERTY (90 WALL ST.)	CINQUANTI
124. RESOLUTION APPROVING AUDIT	COLLINS

ORDINANCE G OF 2022 (to be known as Ordinance 7 of 2022 if adopted) AN ORDINANCE MODIFYING AMSTERDAM CITY CODE SECTION 228-47: SCHEDULE XIII: PARKING PROHIBITED AT ALL TIMES - Parking Prohibited at All Times: Guy Park Avenue – North side – between 195 Guy Park and Clinton Street

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-113

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN MARTUSCELLO

RESOLVED, the minutes of the last Common Council Meeting of December 6, 2022 are hereby adopted.

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

December 20, 2022

6:00PM

RESOLUTION #22/23-114

RESOLUTION AUTHORIZING BUDGET AMENDMENT- DPW/MVA (GUY STREET)

BY: ALDERWOMAN QUIST-DEMARS

WHEREAS, a budget amendment is necessary in order to transfer insurance recoveries from a motor vehicle accident on Guy Street; now therefore be it

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

INCREASE REVENUE:

A.2680.21	Insurance Recoveries	\$554.51
-----------	----------------------	----------

INCREASE EXPENSE:

A.5110.4000	Contractual	\$482.19
A.3010.4045	Street Signage	\$ 72.32

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

December 20, 2022

6:00PM

RESOLUTION #22/23-115

**RESOLUTION TRANSFERRING FUNDS IN THE GENERAL FUND CODE
CORRECTION**

BY: ALDERMAN MARTUSCELLO

WHEREAS, a transfer is necessary in order to correct the account codes for debt principal and interest used in the 22/23 budget, now therefore be it

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

DECREASE EXPENSE:

A.9785.6000	Installment purchase principal	\$101,301.55
A.9785.7000	Installment purchase interest	\$18,642.38

INCREASE EXPENSE:

A.9788.6000	Installment purchase principal	\$101,301.55
A.9788.7000	Installment purchase interest	\$18,642.38

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

December 20, 2022

6:00PM

RESOLUTION #22/23-116

RESOLUTION TRANSFERRING FUNDS – CODE ENFORCEMENT FUEL USAGE

BY: ALDERMAN MARTUSCELLO

WHEREAS, a transfer is necessary in order to pay for fuel usage in the code enforcement department; now therefore be it

RESOLVED, the controller is authorized to transfer funds from the 22/23 FY budget as follows:

DECREASE EXPENSE:

A.5110.4049	gasoline	\$2,100.00
-------------	----------	------------

INCREASE EXPENSE:

A.3620.4049	gasoline	\$2,100.00
-------------	----------	------------

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-117

RESOLUTION TRANSFERRING FUNDS – MICROSOFT OFFICE 365 BUSINESS LICENSES

BY: ALDERMAN MARTUSCELLO

WHEREAS, a transfer is necessary in order to pay The Data Center for the Microsoft Office 365 business licenses; now therefore be it

RESOLVED, the controller is authorized to transfer funds from the 22/23 FY budget as follows:

DECREASE EXPENSE:

A.3620.1000	Personnel Service	\$2,568.00
CL.8160.1021.17	Personnel Services	\$2,568.00
F.8310.1000.17	Personnel Services	\$2,568.00
G.8130.1020.17	Personnel Services	\$2,568.00

INCREASE EXPENSE:

A.1210.4000	contractual expense	\$2,568.00
CL.8160.4137.03	contractual expense	\$2,568.00
F.8310.4000.03	contractual expense	\$2,568.00
G.8130.4137.03	contractual expense	\$2,568.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-118

RESOLUTION TRANSFERRING FUNDS – R. SCOTT WARREN AMSTERDAM MUNICIPAL GOLF COURSE

BY: ALDERMAN MARTUSCELLO

WHEREAS, a transfer is necessary in order to pay the consultant contract with R. Scott Warren at the Amsterdam Municipal Golf Course; now therefore be it

RESOLVED, the controller is authorized to transfer funds from the 22/23 FY budget as follows:

DECREASE EXPENSE:

CR.7180.1022	Management	\$10,000.00
--------------	------------	-------------

INCREASE EXPENSE:

CR.7180.4132	consultant services	\$10,000.00
--------------	---------------------	-------------

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-119

RESOLUTION TRANSFERRING FUNDS – KIM BRUMLEY FINANCIAL MANAGEMENT SERVICES

BY: ALDERMAN MARTUSCELLO

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

RESOLVED, the controller is authorized to transfer funds from the 22/23 FY budget as follows:

DECREASE EXPENSE:

A.1325.1000	Personnel Service	\$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.8160.4132.04	consultant services	\$2,925.00
F.8310.4132.04	consultant services	\$2,925.00
G.8130.4132.04	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

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-120

RESOLUTION AUTHORIZING MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE NEW YORK STATE SENATE FOR SENATOR NEIL BRESLIN'S DISTRICT OFFICE AT CITY HALL

BY: MAYOR CINQUANTI

WHEREAS, The New York State Senate wishes to enter into a lease agreement with the City of Amsterdam for Senator Neil Breslin's district office space at Amsterdam City Hall; and

WHEREAS, a copy of the agreement is attached hereto; now therefore be it

RESOLVED, that Mayor Cinquanti is hereby authorized to enter into the aforesaid agreement with The New York State Senate for a four (4) year term commencing January 1, 2023 and ending December 31, 2026 in the amount of \$1,200 annually, payable to the City of Amsterdam in equal monthly installments of \$100.00.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-121

RESOLUTION ADOPTING CITY OF AMSTERDAM TRAVEL POLICY

BY: ALDERMAN MARTUSCELLO

WHEREAS, the Common Council adopts the attached travel policy and reimbursement form for all employees of the City of Amsterdam. The purpose of a travel policy is to help employees and certain public official understand and apply the City's travel rules and regulations and to provide instructions regarding reimbursement for expenses while in travel status; now therefore be it

RESOLVED, the travel policy is adopted by the Common Council effective upon passage of this resolution.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

Expense Reimbursement for Travel Expense

Conference travel will be for official business and will be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Travel Conference Request Form on file which has been approved by the appropriate supervisor. The Mayor or designee approves those Travel Conference Requests which have reimbursable employee expenses greater than \$100. Travel Conference Request Forms are only to be used by City employees.

All conference reimbursement request must be submitted using a Travel Conference Reimbursement Form.

Expenses for overnight approved travel will be reimbursed which accompanied by original receipts for lodging and other reimbursable expenses. Meals and lodging expenses for overnight travel will only be reimbursed based on the approved per diem rates which are modeled after the United States General Services Administration per diem rates.

New York State sales tax cannot generally be reimbursed. Sales tax may, however, be reimbursed when it is an actual and necessary expense. A Sales Tax-Exempt Form can be obtained prior to travel for hotel accommodations.

Original receipts are required when submitting for parking and tolls, however "EZ Pass" statements may be substituted with the appropriate charges highlighted.

Transportation

- 1) Travel shall be by the most economical method, whether by automobile or common carrier such as bus, train, or airplane
- 2) If travel is by private automobile, mileage shall be reimbursed at Federal IRS business travel rate.
- 3) Rental car expenses shall be reimbursed only with prior approval and documented by receipt
- 4) Air travel is allowed when approved by the Mayor or designee. Air travel shall be at the lowest fare available and shall not exceed coach class fare.

Personal Expenses

The City does not reimburse persons traveling on city-related business for personal expenses including, but not limited to, pay television, hotel health club facilities, alcoholic beverages, theater and show tickets, sporting event tickets, telephone calls and transportation costs unrelated to city business.

EMPLOYEE REIMBURSEMENT FORM*

****Please attach conference agenda, flyers, brochure, and all conference pertinent details including if meals are provided, when attending a conference****

PO # _____ Budget Code: _____

Name of Claimant (Please Print) _____

Reason for Travel: _____ Location: _____

A. LODGING, MEALS (Attach all receipts): (75% GSA PER DIEM RULE APPLIES FOR FIRST & LAST TRAVEL DAY)

**** CLICK HERE FOR GSA PER DIEM RATES ****

Date:	Room	Meals/ Per Diem*	Total
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
TOTAL BLOCK A:			\$ -

B. TRAVEL - MILEAGE

Date:	From	To	Miles Total	Deduct Commute	Reimbursable Miles	IRS Rate .58 / mile
					-	\$ -
					-	\$ -
					-	\$ -
					-	\$ -
					-	\$ -
TOTAL BLOCK B:					\$ -	\$ -

C. OTHER CONFERENCE EXPENSES - Tolls, Parking, Taxi fares, Uber etc. (Attach all original receipts):

Date:	Specify	Total
TOTAL BLOCK C:		\$ -

Signature of Claimant _____ Date: _____

TOTAL A: \$ _____

TOTAL B: \$ _____

TOTAL C: \$ _____

GRAND TOTAL: \$ _____

Administrative Signature Approval / Administrative Printed Name _____

**Receipts must accompany all claimed expenses. Otherwise, expense is disallowed.
 **Deductions of commuting miles apply to scheduled work days

#121
end

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-122

RESOLUTION AUTHORIZING REQUEST FOR PROPOSAL FOR RIVERLINK PARK CAFE

BY: ALDERMAN MARTUSCELLO

WHEREAS, the Common Council authorizes the City Clerk to advertise for a request for proposal (RFP) for the Riverlink Park Café, as attached; now therefore be it

RESOLVED, the City Clerk is authorized to advertise for a request for proposal for the Riverlink Park Café as soon as possible effective upon passage of this resolution.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

The city of Amsterdam is seeking a vendor to operate the Riverlink Café and Boating Facility at Riverlink Park located on the Mohawk River in the city of Amsterdam.

The city seeks a vendor who can operate a successful restaurant and reliably staff it so that the restaurant and boating facilities are available to boaters and the general public. The City wants to create a positive image and experience for everyone that is using the park.

Riverlink Café is within Riverlink Park and adjacent to an amphitheater/performance space where regular scheduled concerts occur during July and August. The vendor can expect to attract clientele from the well-attended concert audiences.

In addition to the specific requirements listed below, the City is seeking an explicit business plan that will articulate how the vendor proposes to attract clientele above and beyond concert attendees, i.e. non-event evenings, and during normal business hours. The City's intent is to maximize park visitor traffic with the café as the attraction. The park is open from sun up through sundown seven days a week.

The proposal should be submitted by ??? and contain a minimum of the following:

- The name of the applicant, including all owners, and principles with complete contact information
- A résumé of experience related to restaurant operation
- Proposed hours of operation and dates of operation of the restaurant
- Proposed menu and staff
- Detailed business plan
- Proposed rent payment and term of lease

Description of Facility

Riverlink café is comprised of: kitchen with various equipment, office, laundry room, shower room, deck with awning, some deck furniture with tables and chairs

To make an appointment to view the facility please call the recreation office at 518-841-4307

Season of Operation

The city requires vendor to operate at a minimum from June 1 through August 30 with dinner served at a minimum from Thursday through Saturday evenings and on special events. The Riverlink café will cover all special events with at least a light menu of food selections and drink needs and remain open for 1/2 hour after the event concludes.

Vendor may open earlier and close later with predetermined, set dates and times with the approval of the City. The New York State canal system is open approximately from May 4 through November 15.

Rent

Vendor will pay rent to the city in accordance with the vendors proposal. The amount of the rent proposed will be a factor in the award of the contract to operate the facility, but it will not be the only determining factor. The vendors ability to operate the restaurant and facility will be substantial factors in the award of the contract.

Dockmaster Responsibilities

- Vendor will direct boaters regarding docking protocols and costs
- Vendor will collect docking fees, (\$1 per foot as set by the City). **Vendor will retain all docking fees collected**
- Vendor will operate and be responsible for the maintenance of the pump out facility
- Vendor will maintain a daily log book of paid boaters, size of boat, name, duration of stay, home and destination, and provide this information to the city monthly

Restaurant Responsibilities

- Vendor will secure and maintain liquor, beer and wine at a minimum, and applicable DOH licenses
- Vendor will secure and maintain liability insurance at the minimum amount of \$1,000,000 and name the City as an insured party
- Propane shall be paid by the vendor
- Electric bill will be paid by the City
- Vendor will secure and maintain cable or DSL service with a wireless router with sufficient range, to support visitor in boater Internet access
- Vendor will establish and maintain standard published hours with no arbitrary closure, due to weather or lack of business, except due to emergency circumstances. The café is to remain open a minimum of 1/2 hour after conclusion of any schedule events concerts.

Event Tent

- The vendor is granted a license to use the event tent located at Riverland Park to host parties and events
- The city will collect a 15% surcharge on all events that take place under the event tent
- The city retains the rights to use the tent, and to allow the public to use the tent at all times when the vendor is not conducting an event in the tent, the city's public events will take precedence over vendors use of the event tent.

Maintenance Responsibilities

- Daily cleaning of the bathrooms, shower, laundry room, and elevators

122
end

- The vendor will supply toilet paper, paper towels, as needed.
- Parking staff in business related vehicles are we parked outside of the gate at all times except for temporary drop off and pick up
- All city on equipment is to be cleaned and stored in sheds when not in use

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

RESOLUTION #22/23-123

RESOLUTION AUTHORIZING SALE OF CITY-OWNED PROPERTY (90 WALL STREET)

BY: MAYOR CINQUANTI

WHEREAS, this property was legally advertised in a legal notice and letters sent to neighboring properties; and

WHEREAS, the Property Disposition Committee met on December 12th, 2022 to review and discuss acceptance of said bids and recommends the below bid be accepted; now therefore be it

RESOLVED, the below property is hereby authorized for sale for the following price:

Vacant Lot:

Address	Offer	SBL #	Purchaser
90 Wall Street	\$1.000	39.83-5-24	L. Bernadette Twente

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

December 20, 2022

6:00PM

RESOLUTION #22/23-124

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN COLLINS

RESOLVED, the bills and documentation of same presented in "Pre-Check Writing Report Parameter" dated December 20, 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

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022

COMMON COUNCIL MEETING

December 20, 2022

6:00PM

ORDINANCE G OF 2022 (to be known as Ordinance 7 of 2022 if adopted)

**AN ORDINANCE MODIFYING AMSTERDAM CITY CODE SECTION 228-47:
SCHEDULE XIII: PARKING PROHIBITED AT ALL TIMES**

BY: MAYOR CINQUANTI

Part 1: Legislative Intent: The Common Council having received a recommendation from Amsterdam Police Department, Chief John Thomas, to update the city code at Section 228-47 Schedule XIII: Parking Prohibited at all Times so as to add No Parking at any time on the North side of Guy Park Ave to Clinton Street , the intent of the instant ordinance is to modify Schedule XIII of Section 228-47 to provide for No Parking at any time on the North side of Guy Park Avenue between 195 Guy Park Avenue and Clinton Street

Part 2: Enactment –

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF AMSTERDAM that the following be added and or modified to XII o Section 228-47 as set forth below:

Add:

Parking Prohibited at All Times: Guy Park Avenue – North side – between 195 Guy Park and Clinton Street

Part 3: Effectiveness: Following a public hearing and upon ratification by the Common Council, the instant Ordinance shall take effect pursuant to Section C-33 of the Charter.

City of Amsterdam, NY

	Aye	Nay

Alderwoman Quist-Demars		

Alderman D. Gomula		

Alderwoman Collins		

Alderman S. Gomula		

Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2022