

COMMON COUNCIL MEETING
January 3, 2023
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 PM PUBLIC HEARING 20-22 Main Street, 6,300 square feet,
vacant commercial and residential property, proposed for rehabilitation.

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OLD BUSINESS

NEW BUSINESS

131. RESOLUTION APPROVING MINUTES	MARTUSCELLO
132. RESOLUTION APPOINTING DEPUTY MAYOR	FULL COUNCIL
133. RESOLUTION APPOINTING OFFICIAL NEWSPAPER- RECORDER	FULL COUNCIL
134. RESOLUTION APPOINTING MEMBER TO PLANNING COMMISSION – GRIFFIN	MAYOR
135. RESOLUTION APPOINTING MEMBER TO PLANNING COMMISSION –PEULUSO	MAYOR
136. RESOLUTION APPOINTING MEMBER TO PLANNING COMMISSION –FREEMAN	MAYOR
137. RESOLUTION APPOINTING MEMBER TO PLANNING COMMISSION – GRAVINA	MAYOR
138. RESOLUTION APPOINTING ALTERNATE MEMBER TO PLANNING COMMISSION – DECKER	MAYOR
139. RESOLUTION IN SUPPORT OF APPLICATION-GRANT PROGRAM 20-22 MAIN ST REHAB	QUIST-DEMARS
140. RESOLUTION AUTHORIZING SALE OF CITY OWNED PROPERTY- 30 GLEN	MAYOR
141. RESOLUTION AUTHORIZING ISSUANCE OF \$20,167,813 BONDS -CAPITAL PURPOSES	MAYOR
142. RESOLUTION AUTHORIZING ISSUANCE OF \$53,000 BONDS -AIR HANDLER/PUBLIC SAFETY BUILDING	MAYOR
143. RESOLUTION APPROVING AUDIT	COLLINS

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RESOLUTION #22/23-131

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN MARTUSCELLO

RESOLVED, the minutes of the last Common Council Meeting of December 20, 2022 and the Emergency Council Meeting of December 29, 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: _____, 2023

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RESOLUTION #22/23-132

RESOLUTION APPOINTING DEPUTY MAYOR

BY: FULL COUNCIL

RESOLVED, pursuant to the provisions of Article III, of Section C24 of the Amsterdam City Charter, _____ is hereby designated as Deputy Mayor to serve as presiding office of the Common Council in the event of the absence or incapacity of the Mayor and to serve as Acting Mayor as provided for in 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: _____, 2023

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RESOLUTION #22/23-133

RESOLUTION DESIGNATING OFFICIAL MEDIA

BY: FULL COUNCIL

RESOLVED, the Amsterdam Recorder is designated as the official newspaper of the City of Amsterdam for the purposes of publishing all official notices of the City; and

BE IT FURTHER RESOLVED, WCSS radio 1490 AM is designated as the official radio station of the City of Amsterdam for the purposes of all official notices of the City.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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RESOLUTION #22/23-134

RESOLUTION APPOINTING MEMBER TO THE PLANNING COMMISSION

BY: MAYOR CINQUANTI

WHEREAS, there is an opening on the Planning Commission; Now, therefore be it

RESOLVED, the following individual is hereby appointed to the Planning Commission effective immediately, with a term expiring December 31, 2023:

Sandy Griffin, 106 Princeton Street, Amsterdam, NY 12010

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2023

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RESOLUTION #22/23-135

RESOLUTION APPOINTING MEMBER TO THE PLANNING COMMISSION

BY: MAYOR CINQUANTI

WHEREAS, there is an opening on the Planning Commission; Now, therefore be it

RESOLVED, the following individual is hereby appointed to the Planning Commission effective immediately, with a term expiring June 30, 2025:

Kathy Peluso, 284 Guy Park Avenue, Amsterdam, NY 12010 (Previously an Alternate)

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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RESOLUTION #22/23-136

RESOLUTION APPOINTING MEMBER TO THE PLANNING COMMISSION

BY: MAYOR CINQUANTI

WHEREAS, there is an opening on the Planning Commission; Now, therefore, be it

RESOLVED, the following individual is hereby appointed to the Planning Commission effective immediately, with a term expiring December 31, 2024:

Shonte Freeman, 28 Essex Street Amsterdam, New York 12010

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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RESOLUTION #22/23-137

RESOLUTION APPOINTING MEMBER TO THE PLANNING COMMISSION

BY: MAYOR CINQUANTI

WHEREAS, there is an opening on the Planning Commission; Now, therefore be it

RESOLVED, the following individual is hereby appointed to the Planning Commission effective immediately, with a term expiring December 31, 2024:

Sonnet Gravina, 344 Guy Park Avenue, Amsterdam, NY 12010

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2023

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RESOLUTION #22/23-138

RESOLUTION APPOINTING ALTERNATE MEMBER TO THE PLANNING COMMISSION

BY: MAYOR CINQUANTI

WHEREAS, there is a need to appoint an alternate member to the Planning Commission for the purpose of substituting for a member in the event that such member is unable to participate due to a conflict of interest or in order to conduct a meeting if any of the regular members are not able to attend; therefore be it

RESOLVED, the following individual is hereby appointed to the Planning Commission as an alternate member effective immediately:

Donna Decker, 48 Chapel Place, Amsterdam

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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RESOLUTION #22/23-139

**RESOLUTION IN SUPPORT OF APPLICATION THROUGH THE RESTORE NY
ROUND 7 COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM-20-22
MAIN STREET REHABILITATION PROJECT**

BY: ALDERWOMAN QUIST-DEMARS

WHEREAS, the City of Amsterdam is eligible for grant funding under Round 7 of the Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, the City of Amsterdam desires to apply for the Restore NY Communities Initiative Municipal Grant Program to rehabilitate the 20-22 Main Street property; and

WHEREAS, rehabilitation of this city owned property will renovate a currently vacant 6,000 square foot property into a mixed-use building containing two commercial spaces and four residential spaces; and

WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Amsterdam; and

WHEREAS, the administration of any grant will be completed by the Department of Community & Economic Development;

RESOLVED, that the City of Amsterdam, acting as governing body and owner of aforementioned site hereby supports and will sponsor the efforts of the City's application submission for the Round 7 Restore NY Communities Initiative Municipal Grant Program; and

FURTHER RESOLVED, that the Mayor is authorized to sign the application and any agreements required by ESDC for grant funding that results from this application; and

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FURTHER RESOLVED, that the City of Amsterdam will provide the 10% equity match for the grant(s) that is required per grant regulations, in addition to the \$500 application fee that is required per each grant.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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RESOLUTION #22/23-140

RESOLUTION AUTHORIZING SALE OF CITY-OWNED PROPERTY (30 GLEN AVE)

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 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:

Address:	SBL:	BIDDER:	BID AMOUNT:
30 Glen Ave	39.19-2-13	LOA GROUP, LLC	\$42,000.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2023

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RESOLUTION #22/23-141

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$20,167,813 BONDS OF THE CITY OF AMSTERDAM, MONTGOMERY COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PURPOSES, IN AND FOR SAID CITY.

BY: MAYOR CINQUANTI

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; **NOW, THEREFORE, BE IT**

RESOLVED, by the Common Council of the City of Amsterdam, Montgomery County, New York (the "City"), as follows:

Section 1. For the purpose of paying the cost of the objects or purposes hereinafter set forth in this bond resolution, including, in each instance, incidental expenses in connection therewith, each of which is a capital purpose, there are hereby authorized to be issued \$20,167,813 bonds of the City pursuant to the provisions of the Local Finance Law, apportioned among the specific objects or purposes and classes of objects or purposes set forth in Section 2 hereof in accordance with the estimated maximum cost of each as set forth in Section 2 hereof or as otherwise indicated in Section 2 hereof. The plan of financing for each such specific object or purpose or class of objects or purposes is the issuance of the obligations authorized therefor, except as otherwise indicated in Section 2 hereof.

Section 2. The objects or purposes to be financed pursuant to this bond resolution are as follows: Improvements to the Barkley School playground, a specific object or purpose, at an estimated maximum cost of \$455,000, with a period of probable usefulness of fifteen years pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a Dormitory Authority of the State of New York grant; Acquisition of a fire truck with original equipment used for fighting fires, a specific object or purpose, at an estimated maximum cost of \$1,800,000, with a period of probable usefulness of twenty years pursuant to subdivision twenty-seven of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose; Improvements to the roof of the City's Public Safety Building, a specific object or purpose, at an estimated maximum cost of \$586,500, with a period of probable usefulness of twenty-five years pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, as such structure is a class "A" building within the meaning of subdivision eleven of said paragraph a; Improvements to the Chuctanuada Creek Trail, a specific object or purpose, at an estimated maximum cost of \$288,728, with a period of probable usefulness of fifteen years pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a Downtown Revitalization Initiative grant; Reconstruction of sections of Main Street and Bridge Street, including improvements to lighting, curbing, and signage (part of Complete Streets Project), a specific object or purpose, at an estimated maximum cost of \$3,474,000, with a period of probable usefulness of ten years pursuant to subdivision ninety of paragraph a of Section 11.00 of the Local Finance Law, as each item shall have a period of probable

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usefulness of at least ten under subdivisions twenty, twenty-four or seventy-two; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose;

Various street lighting improvements, a class of objects or purposes, at an estimated maximum cost of \$847,000, with a period of probable usefulness of five years pursuant to subdivision thirty-two of paragraph a of Section 11.00 of the Local Finance Law;

Replacement of water meters, a class of objects or purposes, at an estimated maximum cost of \$2,115,000, with a period of probable usefulness of twenty years under subdivision thirty of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a New York State Environmental Facilities Corporation ("EFC") grant;

Improvements and equipment upgrades to the City's Waste Water Treatment Plant, a specific object or purpose, at an estimated maximum cost of \$4,300,000, with a period of probable usefulness of thirty years under subdivision four of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of an EFC grant;

Replacement of the lead service lines, a class of objects or purposes, at an estimated maximum cost of \$521,785, with a period of probable usefulness of ten years under subdivision ninety of paragraph a of Section 11.00 of the Local Finance Law, as each item in said class has a period of probable usefulness of at least ten years under subdivisions three or twenty-three pursuant to said paragraph a; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a EFC grant;

Improvements to various City roads, a class of objects or purposes, at an estimated maximum cost of \$452,210, with a period of probable usefulness of fifteen years under subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a NYSDOT grant;

Reconstruction of various City streets and highways, a class of objects or purposes, at an estimated maximum cost of \$1,800,000, with a period of probable usefulness of fifteen years under subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a Consolidated Local Street and Highway Improvement Program (CHIPS) grant;

Installation of HVAC systems at various City-owned buildings, a class of objects or purposes, at an estimated maximum cost of \$527,590, with a period of probable usefulness of ten years under subdivision thirteen of paragraph a of Section 11.00 of the Local Finance Law;

Construction of a multimodal transit hub facility, a specific object or purpose, at an estimated maximum cost of \$3,000,000, with a period of probable usefulness of twenty-five years under subdivision eleven of paragraph a of Section 11.00 of the Local Finance Law, as such facility will be a class "A" building pursuant to said subdivision eleven; provided, however, that the amount of bonds to be issued shall be reduced by the amount of Federal or New York State grant money received for this purpose, presently anticipated in the form of a United States Department of Housing and Urban Development grant.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Controller, the chief fiscal officer, or in the absence of the Controller, the Deputy Controller. Such notes shall be of such terms, form and contents, and shall be sold in such manner, including sale to the New York State Environmental Facilities

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Corporation, as may be prescribed by said Controller or Deputy Controller, as applicable, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said City are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the City by the manual or facsimile signature of the Controller or Deputy Controller, as applicable, and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Controller or, in the absence of the Controller, the Deputy Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Controller or Deputy Controller, as applicable, shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, the Controller and Deputy Controller shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The aforesaid delegated powers shall include the authority to sell any such bonds to the New York State Environmental Facilities Corporation. The receipt of the Controller or Deputy Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the Controller or the Deputy Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Controller or Deputy Controller, as applicable. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Controller or Deputy Controller shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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3) Such obligations are authorized in violation of the provisions of the Constitution.
Section 10. This resolution shall take effect immediately upon its passage and the approval thereof by the Mayor, pursuant to Section C34 of the Charter of the City, and shall then be published in full in *The Recorder*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

COMMON COUNCIL MEETING

January 3, 2023

6:00PM

RESOLUTION #22/23-142

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$53,000 BONDS OF THE CITY OF AMSTERDAM, MONTGOMERY COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF ADDITIONAL AIR HANDLING EQUIPMENT AT THE CITY'S PUBLIC SAFETY BUILDING, AND TO INCREASE THE ESTIMATED MAXIMUM COST THEREOF TO \$528,000, AN INCREASE OF \$53,000 OVER THAT PREVIOUSLY AUTHORIZED, IN AND FOR SAID CITY.

BY: MAYOR CINQUANTI

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed;

WHEREAS, by bond resolution dated September 17, 2019, the Common Council of the City of Amsterdam, Montgomery County, New York (the "City"), authorized the issuance of \$475,000 bonds of said City to finance the cost of additional air handling equipment at the City's Public Safety Building, in and for the City, including incidental expenses in connection therewith;

WHEREAS, it has since been determined that the estimated maximum cost of said improvements should be increased to \$528,000, an increase of \$53,000; and

WHEREAS, it is now desired to authorize the issuance of \$53,000 bonds of said City to finance the additional costs of said class of objects or purposes; **NOW, THEREFORE, BE IT**

RESOLVED, by the Common Council of the City as follows:

Section 1. For paying part of the cost of additional air handling equipment at the City's Public Safety Building, in and for said City, a class of objects or purposes, there are hereby authorized to be issued \$53,000 bonds of the City of Amsterdam, Montgomery County, New York, pursuant to the provisions of the Local Finance Law.

Section 2: It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$528,000, and that the plan for the financing thereof is as follows:

(a) by the issuance of \$475,000 bonds of said City authorized to be issued pursuant to a bond resolution dated September 17, 2019; and

(b) by the issuance of \$53,000 bonds of said City authorized to be issued pursuant to this bond resolution,

provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State aid or any other revenue received by said City and theretofore applied to the cost of such class of objects or purposes.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision thirteen of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Controller, the chief fiscal officer, or in the absence of the Controller, the Deputy Controller. Such notes shall be of such terms, form and contents, and shall be sold in such manner, including sale to the New York State Environmental Facilities

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Corporation, as may be prescribed by said Controller or Deputy Controller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City by the manual or facsimile signature of the Controller or Deputy Controller, as applicable, and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Controller or, in the absence of the Controller, the Deputy Controller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Controller or Deputy Controller, as applicable, shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, the Controller or Deputy Controller shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The aforesaid delegated powers shall include the authority to sell any such bonds to the New York State Environmental Facilities Corporation. The receipt of the Controller or Deputy Controller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the Controller or the Deputy Controller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Controller or Deputy Controller, as applicable. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Controller or Deputy Controller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
 - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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3) Such obligations are authorized in violation of the provisions of the Constitution.
Section 11. This resolution shall take effect immediately upon its passage and the approval thereof by the Mayor, pursuant to Section C34 of the Charter of the City, and shall then be published in full in *The Recorder*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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6:00PM

RESOLUTION #22/23-143

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN COLLINS

RESOLVED, the bills and documentation of same presented in "Pre-Check Writing Report Parameter" dated January 3, 2023, 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
Alderwoman Quist-Demars		
Alderman D. Gomula		
Alderwoman Collins		
Alderman S. Gomula		
Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2023