

COMMON COUNCIL MEETING

June 20, 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

5:55PM Public Hearing- CDBG Public Hearing-Community Center DRI

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OLD BUSINESS

NEW BUSINESS

- | | |
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| 282. RESOLUTION APPROVING THE MINUTES | MARTUSCELLO |
| 283. RESOLUTION TO SUBMIT A LOCAL WATERFRONT REVITALIZATION PROGRAM IMPLEMENTATION PROJECT – SOUTHSIDE PUBLIC REALM - THROUGH THE NYS CONSOLIDATED FUNDING APPLICATION AND DESIGNATING THE CITY OF AMSTERDAM AS THE LEAD AGENCY | S. GOMULA |
| 284. RESOLUTION TRANSFERRING FUNDS- GOLF FUND | S. GOMULA |
| 285. RESOLUTION AMENDING BUDGET –RECREATION FUND | D. GOMULA |
| 286. RESOLUTION TRANSFERRING FUNDS FOR GASOLINE FOR FIRE DEPARTMENT VEHICLES | COLLINS |
| 287. RESOLUTION APPROVING AUDIT | COLLINS |

LOCAL LAW A OF 2023 (to be known as Local Law 1 of 2023 if passed) A LOCAL LAW MODIFYING CHAPTER 250 OF THE AMSTERDAM CITY CODE AS IT RELATES TO CANNABIS

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RESOLUTION #22/23-282

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING

BY: ALDERMAN MARTUSCELLO

RESOLVED, the minutes of the last Common Council Meeting of June 6, 2023 are hereby adopted.

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: _____, 2023

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June 20, 2023

6:00PM

RESOLUTION #22/23-283

RESOLUTION TO SUBMIT A LOCAL WATERFRONT REVITALIZATION PROGRAM IMPLEMENTATION PROJECT – SOUTHSIDE PUBLIC REALM - THROUGH THE NYS CONSOLIDATED FUNDING APPLICATION AND DESIGNATING THE CITY OF AMSTERDAM AS THE LEAD AGENCY

BY: ALDERMAN S. GOMULA

WHEREAS, a Local Waterfront Revitalization Program (LWRP) was completed for the City of Amsterdam in 1993; and

WHEREAS, the City of Amsterdam was awarded a CFA in the 2019 round grant program to update the said plan; and

WHEREAS, the updated plan is concentrating on the City of Amsterdam's waterfront along the Mohawk River and Chuctanunda Creek; and

WHEREAS, one of the projects identified in the plan update is the creation of public space on the Chalmers site in the form of a boardwalk; and

WHEREAS, the project received funding through the city's DRI application but needs further funding to make the project possible; and

WHEREAS, the City of Amsterdam will act as lead agency on this endeavor; and

WHEREAS, the City of Amsterdam is submitting a \$2,500,000 grant with a 34% total project match utilizing previous funding as a match; and

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RESOLVED, that the City of Amsterdam supports this application to the NYS Department of State to implement projects within the City's LWRP plan.

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 #22/23-284

RESOLUTION TRANSFERRING FUNDS- GOLF FUND

BY: ALDERMAN S. GOMULA

WHEREAS, management compensation costs are less than the amount budgeted for 2022-23.

WHEREAS, building repair and golf course consultant costs are higher than the amounts budgeted for 2022-23.

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

DECREASE EXPENSE:

CR.7180.1022	Management	\$9,600.00
CR.7180.4036	Contingency	\$8,200.00

INCREASE EXPENSE

CR.7180.4132	Golf Course Consultant	\$9,600.00
CR.7180.4029	Building Repairs	\$8,200.00

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

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RESOLUTION #22/23-285

RESOLUTION AMENDING BUDGET –RECREATION FUND

BY: ALDERMAN D. GOMULA

WHEREAS, recreation revenue was received that was not included in the 22-23 budget.

WHEREAS, recreation maintenance costs are considerably higher than the amounts budgeted in 22-23.

RESOLVED, the controller is authorized to amend the 22/23 FY budget as follows:

INCREASE REVENUE:

A.2001	Recreation Charges Revenue	\$14,821.54
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INCREASE EXPENSE:

A.7020.4000	Contractual Expenses	\$14,821.54
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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

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RESOLUTION #22/23-286

RESOLUTION TRANSFERRING FUNDS FOR GASOLINE FOR FIRE DEPARTMENT VEHICLES

BY: ALDERWOMAN COLLINS

WHEREAS, travel costs for the fire department are less than the budgeted amount for 2022-23,

WHEREAS, fuel costs have exceeded the budgeted amount for 2022-23, therefore be it;

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

DECREASE EXPENSE:

A.3410.4056	Travel	\$2,000
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INCREASE EXPENSE

A.3410.4049	Gasoline	\$2,000
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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

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RESOLUTION #22/23-287

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN COLLINS

RESOLVED, the bills and documentation of same presented in “Pre-Check Writing Report Parameter” dated June 20, 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
Alderman Quist-Demars		
Alderman D. Gomula		
Alderman Collins		
Alderman S. Gomula		
Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR

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**OF LOCAL LAW A OF 2023(to be known as Local Law 1of 2023, if passed) MODIFYING
CHAPTER 250 OF THE AMSTERDAM CITY CODE AS IT RELATES TO CANNABIS**

SECTION 1: Legislative Intent: The State of New York, pursuant to the New York Laws of 2021, Chapter 92, having established the New York Cannabis Law, authorizing adult, recreational use of cannabis, including the licensing of adult use on-site cannabis consumption and the licensing of adult use cannabis retail dispensaries. Pursuant to N.Y. Cannabis Law, Section 131, a city “may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption site..”. The intent of the instant local law is to modify Chapter 250, the Zoning Laws of the City of Amsterdam, so as to add and incorporate the zoning the above-referenced activities within the City of Amsterdam. Additionally, the instant local law legislates zoning for manufacturing, processing and cultivation of cannabis in the Employment District and in the Light Industrial District, subject to a special use permit.

SECTION 2: Enactment:

BE IT ENACTED AS FOLLOWS:

Amendment #1: Section 250-4 Definitions and Word Use:

The following terms and definitions shall be added to Section 250-4

LICENSED ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITY – A facility or business at which the consumption of cannabis is allowed pursuant to a lawfully issued license for an adult-use cannabis on-site consumption location under the N.Y. Cannabis Law and regulations promulgated thereunder.

LICENSED ADULT-USE CANNABIS RETAIL DISPENSARY – A facility or business engaged in the acquisition, possession, sale, and delivery of cannabis to cannabis consumers pursuant to a lawfully issued license for an adult-use cannabis retail dispensary under the N.Y. Cannabis Law and regulations promulgated thereunder, and

not

including any licensed adult-use cannabis on-site consumption facility.

MANUFACTURING, CANNABIS – A facility or business that cultivates, processes, packages cannabis, which may deliver cannabis to cannabis establishments or to transfer cannabis to other establishments, but not to consumers, pursuant to a lawfully issued license for cannabis cultivation and/or cannabis processing under the N.Y. Cannabis Law and regulations promulgated thereunder

The following terms and definitions are amended to read as follows:

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MANUFACTURING, HEAVY: An establishment engaged in manufacturing, assembly, fabrication, packaging, or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibrations beyond its property line. This term includes but is not limited to: chemical manufacturing; stone work or concrete product manufacturing; fabrication of metal products; manufacturing of agricultural, construction, or mining machinery; motor vehicle manufacturing; lumber milling; ship or boat construction; and permanent concrete/batch plant. Cannabis-related manufacturing and production activities are expressly excluded from the instant definition.

MANUFACTURING, LIGHT – Establishments, engaged in the product assembling, mixing or treatment of raw material or agricultural commodities, or manufacturing of products together to form a noncombustible and nonexplosive product, . Product packaging, including bottling, canning, packing, wrapping, and boxing of products assembled or manufactured off site. The assembling or packaging shall not produce noise, vibration, hazardous waste materials, or particulate that creates significant negative impacts to adjacent land uses. Odors produced on site shall not negatively affect other businesses or properties in the area. Examples of assembling include, but are not limited to, the production of the following: clothes, furniture (where wood is milled off site); pharmaceuticals; hardware; toys; mechanical components; electric or electrical components; small vehicle assembly; agricultural commodities; and computer software. Examples of packaging include facilities for bottling beverages, canning and wrapping foods and agricultural commodities, and boxing electrical components. Cannabis-related manufacturing and production activities are expressly excluded from the instant definition.

Amendment #2: Section 250-14(B)(3): Downtown Core District, Allowable Uses Subject to Special Use Permit:

Add the following:

(j) Licensed Adult-Use Cannabis Retail Dispensary

Amendment #3: Section 250-15(B)(3): Employment District, Allowable Uses Subject to Special Use Permit:

Add the following:

(g) Licensed Adult-Use Cannabis On-Site Consumption Facility

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- (h) Licensed Adult-Use Cannabis Retail Dispensary
- (i) Manufacturing, Cannabis

Amendment #4: Section 250-16(B)(3) – Commercial Corridor, Allowable Uses Subject to Special Use Permit:

Add the following:

- (g) Licensed Adult-Use Cannabis On-Site Consumption Facility
- (h) Licensed Adult-Use Cannabis Retail Dispensary

Amendment #5: Section 250-17(B)(3), Light Industrial, Allowable Uses Subject to Special Use Permit:

Add the following:

- (g) Licensed Adult-Use Cannabis Retail Dispensary
- (h) Manufacturing, Cannabis

SECTION 3: EFFECTIVENESS: A public hearing having been held on May 30, 2023 and referral having been made to the Montgomery County Planning Board pursuant to General Municipal Law Section 229-m, and upon ratification by Common Council, the instant Local Law shall become effective pursuant to 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: _____, 2023