

**COMMON COUNCIL MEETING**  
**September 5, 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

**5:50PM Public Hearing-CDBG Grant Water Treatment Plant Improvements**

**5:51PM Public Hearing – Ordinance “D” of 2023- City Purchasing Cards**

**5:52PM Public Hearing – Ordinance “E” of 2023- Peddler Permit Application**

**5:53PM Public Hearing – Local Law “B” of 2023- Compensation of Mayor**

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

*OLD BUSINESS*

*NEW BUSINESS*

39. RESOLUTION APPROVING THE MINUTES	MARTUSCELLO
40. RESOLUTION APPROVING 2024 GOLF RATES AND FEES	MARTUSCELLO
41. RESOLUTION AUTHORIZING CONTRACT -GASD/SCHOOL RESOURCE OFFICER	COLLINS
42. RESOLUTION APPROVING MOA - CSEA, LOCAL 1000 AFSCME, AFL-CIO, AMSTERDAM WASTEWATER FACILITY UNIT	MAYOR
43. RESOLUTION APPOINTING CONTROLLER – LOUISE BIRON	QUIST-DEMARS
44. RESOLUTION AUTHORIZING PUBLIC SAFETY MUTUAL AID AGREEMENT	MARTUSCELLO
45. RESOLUTION AUTHORIZING CONTRACT- NYS UNIFIED COURT SYSTEM	MARTUSCELLO
46. RESOLUTION APPROVING AUDIT	COLLINS

*ORDINANCE “D” OF 2023, (to be known as Ordinance 4 of 2023 if passed) -AN ORDINANCE MODIFYING SECTION 47-20 OF THE AMSTERDAM CITY CODE RELATING TO CREDIT CARDS AND PURCHASING CARDS*

*ORDINANCE “E” (TO BE KNOWN AS ORDINANCE 5 OF 2023 IF ADOPTED) -AN ORDINANCE MODIFYING CHAPTER 171 OF THE AMSTERDAM CITY CODE PERTANING TO PEDDLER APPLICATION REQUIREMENTS*

*LOCAL LAW “B” OF 2023 (to be known as Local Law 2 of 2023 if passed) - A LOCAL LAW ADJUSTING COMPENSATION OF MAYOR OF CITY OF AMSTERDAM PURUSANT TO C-15 OF THE CITY CHARTER*

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

**RESOLUTION #23/24-39**

**RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETING**

**BY: ALDERMAN MARTUSCELLO**

**RESOLVED**, the minutes of the last Common Council Meeting of August 15, 2023 as well as the two Emergency Council Meetings of August 22 and August 25, 2023 are hereby adopted.

City of Amsterdam, NY

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

\_\_\_\_\_  
MICHAEL CINQUANTI, MAYOR  
DATED: \_\_\_\_\_, 2023

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

**RESOLUTION #23/24-40**

**RESOLUTION APPROVING GOLF COURSE FEES AND RATES FOR THE AMSTERDAM MUNICIPAL GOLF COURSE 2023 SEASON**

**BY: ALDERMAN MARTUSCELLO**

**WHEREAS**, the Common Council, having received recommendations from the Golf Commission regarding proposed fees and rates for the 2024 season at the Amsterdam Municipal Golf Course; and

**WHEREAS**, the rates and fees proposed by the Golf Commission are subject to approval and ratification by the Common Council; and

**WHEREAS**, a copy of the proposed rates and fees for the 2024 season being attached hereto and being incorporated herein by reference; now, therefore be it

**RESOLVED**, that the rates and fees for the 2024 season at the Amsterdam Municipal Golf Course set forth in the attached 2024 Rate Proposal are 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: \_\_\_\_\_, 2023

Amsterdam Municipal Golf Course – Proposed Golf Rate Resolution August 28, 2023

**Preferred Customer Program:**

- \* \$500 to buy in (annually)
- \* \$20 fee for 18-hole round/ \$10 for 9-hole round
- \* Playing time restrictions - none
- \* Preferred tee time booking ten (10) days in advance.
- \* Receive three (3) guest passes. Guest passes are not valid on weekends and holidays from course opening until 12pm (noon). When a guest pass is redeemed, the guest will owe a \$20 cart fee.
- \* Receive three (3) practice range passes.
- \* **Open to any new prospective patrons and any current unlimited or trail fee passholder/members**

**Unlimited Pass Program:**

- \* \$1500 Annual Fee (single) - \$2700 (couple)
- \* Provides unlimited golf on weekdays. Provides unlimited golf on weekends and holidays after 12:00pm.
- \* Unlimited pass program participants can play golf on Weekend and Holiday mornings from opening until 11:59am with a reduced fee payment of \$30.
- \* Preferred tee time booking ten (10) days in advance.
- \* Receive three (3) guest passes. Guest passes are not valid on weekends and holidays from course opening until 12pm (noon). When a guest pass is redeemed, the guest will owe a \$20 cart fee.
- \* Receive three (3) practice range passes.
- \* **The unlimited pass program is only available to current unlimited or trail fee passholder/members. If you choose not to be an unlimited pass program participant in 2024 you will not be eligible to participate in this program in the future.**

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

**RESOLUTION #23/24-41**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CONTRACT WITH THE GREATER AMSTERDAM SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER**

**BY: ALDERWOMAN COLLINS**

**WHEREAS**, the Greater Amsterdam School District desires to maintain the presence of a uniformed police officer at Lynch Literacy Academy to enhance security and help keep order at the school; and

**WHEREAS**, the City of Amsterdam wishes to enter into a one-year contract for the 2023-24 school year for the amount of \$74,671 which is the full cost to the city for employing an officer during the 167 day school year. The School District will pay for any additional time beyond the 167 days; and

**WHEREAS**, a copy of the contract is attached hereto; therefore, be it

**RESOLVED** the Mayor is authorized to execute the attached contract with the Greater Amsterdam School District

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**

**September 5, 2023**

**6:00PM**

**RESOLUTION #23/24-42**

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF AMSTERDAM AND THE CSEA, LOCAL 1000 AFSCME, AFL-CIO, AMSTERDAM WASTEWATER FACILITY UNIT**

**BY: MAYOR CINQUANTI**

**WHEREAS**, the City of Amsterdam (hereinafter "City") and the CSEA, LOCAL 1000 AFSCME, AFL-CIO, AMSTERDAM WASTEWATER FACILITY UNIT (hereinafter "AWWTP") are parties to a collective bargaining agreement which expired June 30, 2021, but has continued in effect by operation of law; and

**WHEREAS**, the City and AWWTP have been engaged in negotiations for a successor collective bargaining agreement; and

**WHEREAS**, the parties, with the assistance of a mediator assigned by the Public Employment Relations Board, have reached a Memorandum of Agreement setting forth the terms of a successor collective bargaining agreement for the period July 1, 2021, through June 30, 2025, a copy of which Memorandum of Agreement is attached hereto; and

**WHEREAS**, said Memorandum of Agreement is subject to ratification by the AWWTP membership and legislative approval by the Amsterdam Common Council; and

**WHEREAS**, the attached Memorandum of Agreement has been ratified by the AWWTP membership and is being recommended by the Mayor and the City's negotiating team to the Amsterdam Common Council for approval; now, therefore be it

**RESOLVED**, that the attached Memorandum of Agreement dated July 27, 2023, by and between AWWTP and the City of Amsterdam is hereby approved by the Amsterdam Common Council; and be it further

**RESOLVED**, that the Mayor is authorized to execute a collective bargaining agreement incorporating the terms of the Memorandum of Agreement in a form acceptable to counsel for 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

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

**RESOLUTION #23/24-43**

**RESOLUTION APPOINTING LOUISE BIRON TO FILL VACANCY OF CITY CONTROLLER**

**BY: ALDERWOMAN QUIST-DEMARS**

**WHEREAS**, a vacancy in the position of City Controller was created through the previous resignation of Matthew Agresta; and

**WHEREAS**, the City previously engaged Louise Biron as a consultant in the department of City Controller with the ultimate goal of appointing Ms. Biron as City Controller upon the completion of a modification of Public Officers Law, Section 3 as Ms. Biron is a resident of the County of Fulton; and

**WHEREAS**, the City seeks to fill said vacancy through appointment of Louse Biron pursuant to section C-17 of the City Charter; and

**WHEREAS**, the modification of Public Officers Law, Section 3 has been completed and signed into law and Ms. Biron otherwise holds the qualifications to fill the vacancy created by Mr. Agresta's resignation; and

**WHEREAS**, the instant appointment is effective through the end of prior City Controller's term, said date being and including December 31, 2023; and

**WHEREAS**, pursuant to C-15 of the City Charter, the salaries and compensation of employees of the City and of the appointive officers shall be fixed by the Common Council; and

**WHEREAS**, to date, Ms. Biron has worked as consultant for the City, with prorated compensation equaling \$100,000.00 per year; and

**WHEREAS**, upon appointment to Controller, the compensation and salary for Ms. Biron shall remain the same and shall be based upon a prorated salary of \$100,000.00 per year; and

**WHEREAS**, the City is desirous to fill the aforementioned vacancy with the appointment of Louise Biron. Therefore, be it hereby



**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

**RESOLVED**, that Louise Biron is hereby appointed to fill the vacancy of City Controller pursuant to Section C-17 of the City Charter; and be it further

**RESOLVED**, that pursuant to Section C-15 of the City Charter, the salary and compensation shall be based upon the prorated salary of \$100,000.00 per year, effective immediately.

City of Amsterdam, NY

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

\_\_\_\_\_  
MICHAEL CINQUANTI, MAYOR  
DATED: \_\_\_\_\_, 2023

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

**RESOLUTION #23/24-44**

**RESOLUTION AUTHORIZING PUBLIC SAFETY MUTUAL AID AGREEMENT WITH LAW ENFORCEMENT AGENCIES WITHIN MONTGOMERY COUNTY**

**BY: ALDERMAN MARTUSCELLO**

**WHEREAS**, Section 119-o of the General Municipal Law (GML) permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

**WHEREAS**, §119-n(c) and § 119-o GML further provide that municipal corporations that enter into such agreements for a joint service may extend the appropriate territorial jurisdiction of the participants necessary to fulfill said service, and personnel assigned to a Joint service shall possess the same powers, duties, immunities and privileges they would ordinarily possess if they performed them in the area where they are employed; and

**WHEREAS**, the County of Montgomery, and Its Sheriff's Office, the City of Amsterdam and its Police Department, the Village of Canajoharie and its Police Department, the Village of Fort Plain and its Police Department, the Village of St. Johnsville and its Police Department employ their own full time Police Officers which currently provide police service exclusively to their own respective jurisdictions; and

**WHEREAS**, the parties have determined that it is in the best interests of the respective communities and of mutual advantage to enter into this Agreement for the provision of inter agency law enforcement services on a day-to-day basis; and

**WHEREAS**, a copy of the Public Safety Mutual Aid Agreement being attached hereto; it is hereby

**RESOLVED**, that the attached Public Safety Mutual Aid Agreement is hereby authorized.

City of Amsterdam, NY

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

\_\_\_\_\_  
MICHAEL CINQUANTI, MAYOR  
DATED: \_\_\_\_\_, 2023

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

**RESOLUTION #23/24-45**

**RESOLUTION AUTHORIZING FIVE YEAR CONTRACT WITH NYS UNIFIED COURT SYSTEM**

**BY: ALDERMAN MARTUSCELLO**

**WHEREAS**, by way of background, Amsterdam City Court is located at the Public Safety Building located at 1 Guy Park Avenue, said building being owned by the City of Amsterdam; and

**WHEREAS**, the annexed agreement is a five-year contract, retroactive to the date of April 1, 2023, between the City of Amsterdam and the New York State Unified Court System, relating to interior cleaning, minor repairs, and preventative building and property maintenance services for court facilities; and

**WHEREAS**, a copy of the contract is attached hereto, with the payment and reimbursement provisions being set forth at Section VII and Appendix B; it is hereby

**RESOLVED**, that the attached contract with the NYS Unified Court System is hereby authorized.

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**  
**September 5, 2023**  
**6:00PM**

**RESOLUTION #23/24-46**

**RESOLUTION APPROVING AUDIT**

**BY: ALDERWOMAN COLLINS**

**RESOLVED**, the bills and documentation of same presented in “Pre-Check Writing Report Parameter” dated September 5, 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

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

**ORDINANCE “D” OF 2023 (to be known as Ordinance “4” of 2023 if adopted.)**

**AN ORDINANCE MODIFYING SECTION 47-20 OF THE AMSTERDAM CITY CODE RELATING TO CREDIT CARDS AND PURCHASING CARDS**

**BY: ALDERMAN MARTUSCELLO**

**Section 1: Legislative Intent:** In furtherance of improving the overall efficiency of purchasing transactions and so as to increase the level of purchasing oversight, modifications to Section 47-20 have been recommended by the Department of City Controller, including replacing the term “debit card” with “purchasing card” clarifications to the role of the City Controller in obtaining and issuing credit cards and/or purchasing cards to City officials and employees.

**Section 2: Enactment:**

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF AMSTERDAM that Section 47-20 of the Amsterdam City Code is modified to read as follows:

**SECTION 47-20 CREDIT CARDS AND PURCHASING CARDS**

**A.**

Purpose: to regulate the use of credit cards or purchasing cards by City employees and officers to improve the overall efficiency of purchasing transactions and increase purchasing oversight.

**B.**

The Controller is hereby authorized to contract with credit card companies, banks or vendors to obtain credit or purchasing cards.

**(1)**

The total aggregate credit limit is determined at the discretion of the Controller.

**(2)**

The total number of cards to be issued is determined by the Controller.

**(3)**

The maximum credit line for each cardholder shall be determined by the Controller.

**C.**

Access to credit or purchasing cards.

**(1)** The Controller shall determine if a particular employee or official requires access to a credit card or purchasing card for the efficient execution of their duties.

**(2)** Any employee or official issued access to a credit card or purchasing card shall sign an agreement that any use of the card shall be in conformance with Chapter 47 of the City Code, shall not exceed budget amounts for any expense incurred and shall obligate the employee or

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

officer to be personally liable for any cost incurred for purchases in violation of this chapter or in excess of budgeted amounts.

(3)The Controller and Mayor can revoke a cardholder’s privilege at any time if their use of the card is not in conformity with Chapter 47 of the City Code.

**D.**

All purchases of goods or services shall comply with all other sections of this chapter and shall only be for City purposes.

**E.**

Any charges incurred shall be paid within the applicable grace period to avoid finance charges.

**F.**

The Controller may establish procedures in addition to the requirements established herein.

**G.**

All charges are to be included in the audit.

**PART 3: EFFECTIVENESS**

Section 3: Effectiveness: A public hearing having been held on September 5, 2023 and upon ratification by Common Council, the instant Ordinance shall become effective pursuant to C-33 of the Charter.

**PUBLIC HEARING SCHEDULED FOR SEPTEMBER 5, 2023 AT 5:51PM**

City of Amsterdam, NY

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

MICHAEL CINQUANTI, MAYOR

DATED: \_\_\_\_\_, 2023

**COMMON COUNCIL MEETING**

**September 5, 2023**

**6:00PM**

**ORDINANCE “E” (to be known as Ordinance “5” of 2023 if adopted)**

**AN ORDINANCE MODIFYING CHAPTER 171 OF THE AMSTERDAM CITY CODE  
PERTAINING TO PEDDLER APPLICATION REQUIREMENTS**

**BY: ALDERWOMAN QUIST-DEMARS**

**Section 1: Legislative Intent:** Section 171-19 of the Amsterdam City Code is where the application process for a peddler license is codified and has not been updated since 1954. With specific regard to the existing language found at 171-19A(9), it is believed that the policy is patently antiquated and in need of replacement. It is the intention to replace the existing language found at said section with a requirement that the applicant, in the case of a food vendor, demonstrate proof a valid permit issued by the New York State Department of Health and that in the case where the applicant is a vendor of frozen foods, that the applicant demonstrate proof of a valid permit issued by the New York State Department of Agriculture and Markets. Separately from the above, the intention of the instant legislation is modify and repeal the existing language found at section 171-22 requiring a surety bond and to replace the same with a requirement of proof of liability insurance in an amount not less than one million dollars dollars in liability coverage. This modification will result in a new subsection of 171-19, namely 171-19(A)(1) and section 171-22 shall be repealed.

**Section 2: Enactment:**

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF AMSTERDAM AS  
FOLLOWS:

Modification #1:

Section 171-19(A)(9) is hereby amended to read as follows: Where the application is for a food peddler license, the applicant shall demonstrate having in place a valid permit issued by the New York State Department of Health. Where the application is for a frozen food peddler license, the applicant shall demonstrate having in place a valid permit issued by the New York State Department of Agriculture and Markets.

Modification #2:

Section 171-19(A)(10) is hereby established to read as follows: Liability Insurance: The applicant must demonstrate proof of liability insurance in an amount not less than one million dollars.

Modification #3:

171-22: Repealed

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

**Section 3: Effectiveness:**

Section 3: Effectiveness: A public hearing having been held on September 5, 2023 and upon ratification by Common Council, the instant Ordinance shall become effective pursuant to C-33 of the Charter.

**PUBLIC HEARING SCHEDULED FOR SEPTEMBER 5, 2023 AT 5:52PM**

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**

**September 5, 2023**

**6:00PM**

**LOCAL LAW B OF 2023 (to be known as Local Law 2 of 2023 if passed.)**

**A LOCAL LAW ADJUSTING COMPENSATION OF MAYOR OF CITY OF AMSTERDAM PURUSANT TO C-15 OF THE CITY CHARTER**

**BY: ALDERPERSON QUIST-DEMARS**

**Section 1: Legislative Intent:** The compensation for the Mayor of City of Amsterdam has not been increased since 1997. The office of Mayor of the City of Amsterdam is a full time Chief Executive position, with extensive oversight of a 38 million dollar budget, public safety, clean drinking water, infrastructure and quality of life issues for a City of 18,000 residents. Compensation currently stands at \$55,000 annually, which is the second-lowest of all departments heads in City government. It is believed that the compensation for the Mayor of the City of Amsterdam should be consistent with compensation for other full-time Mayors in cities of comparable size and that it be reasonably competitive with similar positions in the private sector. It is believed the instant adjustment in compensation would be in furtherance of attracting qualified candidates for the office and will provide access to representation to a larger socio-economic and diverse base of candidates. In creating the fiscal year 2023-2024 budget, the Common Council agreed to a \$10,000 increase and added \$5,000 for the first six months of the increased salary. Going forward, it hoped that rather than waiting 26 years to adjust compensation, increases in the salary of Mayor should be considered in future budget years to incrementally bring it to a fair level. City Charter, Section C-15 provides the Common Council with the authority to set the compensation of the mayor pursuant to a local law, said adjustment being effective at the commencement of the next term of office.

**Section 2: Enactment**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF AMSTERDAM AS FOLLOWS:**

Pursuant to City Charter, Section C-15, the compensation of the Mayor of the City of Amsterdam shall be \$65,000.00 per year, effective and commencing January 1, 2024. The instant local law shall not modify any health insurance benefits.

**COMMON COUNCIL MEETING**  
**September 5, 2023**  
**6:00PM**

Section 3: Effectiveness: A public hearing having been held on September 5, 2023 and upon ratification by Common Council, the instant Local Law shall become effective pursuant to C-33 of the Charter.

**PUBLIC HEARING SCHEDULED FOR SEPTEMBER 5, 2023 AT 5:53PM**

City of Amsterdam, NY

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

\_\_\_\_\_  
MICHAEL CINQUANTI, MAYOR  
DATED: \_\_\_\_\_, 2023