

**AGENDA FOR A REGULAR MEETING OF THE  
GLOVERSVILLE COMMON COUNCIL  
TUESDAY, OCTOBER 27, 2015  
6:00PM: COUNCIL CHAMBERS**

**CITY OFFICIALS**

**Mayor Dayton J. King-Presiding**

**Councilman-At-Large - James H. Robinson**

**Ward 1 - Robin Wentworth**

**Ward 2 - Arthur Simonds**

**Ward 3 - Stephen Mahoney**

**Ward 4 - Ellen L. Anadio**

**Ward 5 - Jay Zarrelli**

**Ward 6 - Wrandy Siarkowski**

**COMMON COUNCIL ROLL CALL** **CITY CLERK**

**PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE** **MAYOR KING**

**SPEAKER**

Fulton County Public Health Director Dr. Irina Gelman will speak regarding lead safety.

**PUBLIC HEARING**

The first Public Hearing is regarding the proposed Local Law changing the Zoning from R-1 to Commercial for the recently annexed property from the Town of Johnstown known as State Highway 30A- north side/SBL 149.11-14-25.

**PUBLIC HEARING**

The second Public Hearing is regarding the proposed Ordinance to modify Gloversville City Code to include a chapter pertaining to cat rescue sanctuaries.

**PUBLIC HEARING**

The third Public Hearing is regarding the proposed Ordinance modifying Gloversville City Code Section 300-3 to add a definition for cat rescue sanctuary and modifying the definition of kennel.

**PUBLIC SESSION**

Any persons wishing to address the Council regarding an agenda item or other City business will be permitted to speak for a maximum of three (3) minutes.

Please do not direct remarks or questions directly to any specific Council member, City official or presiding officer, as there is no exchange of dialogue during this portion of the meeting. Personally offensive, abusive, slanderous, or boisterous remarks will not be allowed.

**AUDIT** **COUNCILWOMAN ANADIO**

Councilman-At-Large Robinson and Councilwoman Anadio performed the October 22, 2015 Audit covering the period 09/17/15 – 10/22/15.

**COMMUNICATION FROM MAYOR AND OTHER CITY OFFICIALS**

**Councilman-at-Large Robinson**

Scheduling Departmental Budget Review Dates and Scheduling a Public Hearing for November 10<sup>th</sup> to Review the Mayor's 2016 Budget.

**City Assessor Joni Dennie**

Mayoral Appointment of Kathy Mussi to Board of Assessment Review with term expiring 09/30/20  
Sale of Paper Street on McKinley Place

**DPW Director Kevin Jones**

211 North Main Street Demolition

**APPROVAL OF MEETING MINUTES**

- 09/22/15 Council Meeting
- 09/28/15 Special Meeting
- 10/13/15 Work Session Meeting

**LEGISLATION**

**Intro LL-1**

**LOCAL LAW RE-ZONING REAL PROPERTY RECENTLY ANNEXED INTO THE CITY OF GLOVERSVILLE KNOWN AS STATE HIGHWAY 30A, NORTH SIDE, SBL 149.11-14-25 AND AMENDING THE ZONING MAP OF THE CITY OF GLOVERSVILLE PURSUANT TO GLOVERSVILLE CITY CODE SECTIONS 300-5 AND 300-68**

**Intro O-1**

**ORDINANCE MODIFYING GLOVERSVILLE CITY CODE TO INCLUDE A CHAPTER PERTAINING TO CAT RESCUE SANCTUARIES**

**Intro O-2**

**ORDINANCE MODIFYING GLOVERSVILLE CITY CODE SECTION 300-3 TO ADD A DEFINITION FOR CAT RESCUE SANCTUARY & MODIFYING THE DEFINITION OF KENNEL**

**Intro R-1**

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE REGIONAL ANIMAL SHELTER, INC.**

**Intro R-2**

**RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO EXECUTE BUDGET MODIFICATIONS RELATED TO DPW ACCOUNTS**

**Intro R-3**

**RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO EXECUTE A BUDGET MODIFICATION RELATED TO AN INSURANCE CHECK FOR A DAMAGED LAMP POST**

**Intro R-4**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE GLOVERSVILLE ENLARGED SCHOOL DISTRICT REGARDING POLICE PERSONNEL ATTENDANCE AT SCHOOL FUNCTIONS**

**Intro R-5**

**RESOLUTION TO SOLICIT SEALED BIDS TO HIRE AN INDEPENDENT CONTRACTOR TO PERFORM SIDEWALK SNOW REMOVAL ON COUNTY OWNED PROPERTIES AND SNOW REMOVAL ABATEMENTS ON PROPERTIES CITED FOR VIOLATIONS**

**MISCELLANEOUS**

**ADJOURNMENT**

Local Law \_\_\_\_\_

Intro LL-1

Councilmember \_\_\_\_\_ presented the following Local Law and moved its adoption:

**LOCAL LAW RE-ZONING REAL PROPERTY RECENTLY ANNEXED INTO THE CITY OF GLOVERSVILLE KNOWN AS STATE HIGHWAY 30A, NORTH SIDE SBL 149.11-14-25 AND AMENDING THE ZONING MAP OF THE CITY OF GLOVERSVILLE PURSUANT TO GLOVERSVILLE CITY CODE SECTIONS 300-5 AND 300-68**

**WHEREAS**, Recreational Realty and Steven Mauro are owners of an approximate 16 acre lot that was annexed in to the City of Gloversville earlier this year; and

**WHEREAS**, said lot being identified as SBL 149.11-14-25, known as State Hwy 30A, North side;

**WHEREAS**, said parcel having been previously classified as a Residential zone; and

**WHEREAS**, the owners of the parcel being desirous to re-zone the parcel as “Commercial”; and

**WHEREAS**, the Common Council being of the belief that the re-classification of said parcel to a commercial zone being consistent with the desires and best interests of the City; and

**WHEREAS**, the City of Gloversville is desirous to re-zone the property to that of a “C” Commercial Zone; and

**WHEREAS**, a Public Hearing having been held relative to this matter on October 27, 2015.

**BE IT ENACTED** by the Common Council of the City of Gloversville as follows:

**Section 1**

**Section 300-5 Zoning Map is hereby modified as follows:**

SBL 149.11-14-25 is hereby re-zoned to a classification of “C” – Commercial.

**Section 2.**

This Local Law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Councilmember: \_\_\_\_\_

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Ordinance \_\_\_\_\_**

Intro O-1

Councilmember Wentworth presented the following Ordinance and moved its adoption:

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**ORDINANCE MODIFYING GLOVERSVILLE CITY CODE  
TO INCLUDE A CHAPTER PERTAINING TO CAT RESCUE SANCTUARIES**

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Be it enacted by the Common Council of the City of Gloversville: The City Code of the City of Gloversville shall be amended for the inclusion of a Chapter 111, pertaining to legislation authorizing Cat Rescue Sanctuaries, as follows:

**Chapter 111 of the Gloversville City Code shall read as follows:**

**111-1: Definitions: Cat Rescue Sanctuary:** A non-profit corporation that has received tax exempt nonprofit status pursuant to 26 U.S.C. Section 501(c)(3), being volunteer based organization that provides rescue and relief to homeless stray and feral cats in the community; provides community outreach and education regarding spaying and neutering in order to help reduce the growth of homeless stray and feral cats; and whose goal is to work to find foster or permanent homes for the homeless stray cats, thus reducing the numbers left living on the streets. Only such organizations with an active permit shall be recognized as a Cat Rescue Sanctuary.

**111-2: Permit Required:** No person or organization shall operate a Cat Rescue Sanctuary without first obtaining a permit therefor from the City Clerk. Applications for a permit shall be available at the Office of the City Clerk.

**111-3: Eligibility:** Eligibility to operate a Cat Rescue Sanctuary shall be limited to tax-exempt organizations that have received an exemption pursuant to 26 U.S.C. Section 501(c) (3).

**111-4: Certificate of Public Convenience and Necessity:** No permit required by this chapter shall be granted until the organization applying for such permit has secured from the Mayor a certificate certifying that public convenience and necessity require the operation of a Cat Rescue Sanctuary. The judgment of the Mayor on questions of public convenience and necessity shall be conclusive.

**111-5: Duration of Permit:** The duration of the permit shall be for one year. A new permit application must be submitted each year.

**111-6: Inspection by City Building Inspector:** Prior to the issuance of the permit, the building that houses the Cat Rescue Sanctuary shall be subject to inspection by the City Building Inspector. A permit application must contain written verification from the City Building Inspector that the building is in compliance with the Gloversville City Code; Uniform Fire Prevention and Building Code of the State of New York; and the Property Maintenance Code of the State of New York. There shall be a pre-paid fee for this inspection in the amount of \$\_\_\_\_\_.

**111-7: Inspection by the Commissioner of Health:** Prior to the issuance of the permit, the Commissioner of Health, consistent with the powers and duties provided by Article XIII of the Gloversville City Charter, shall inspect the site of the proposed Cat Rescue Sanctuary and the application for a permit must contain written verification from the Commissioner of Health that the dwelling has been approved for the operation of a Cat Rescue Sanctuary. There shall be a pre-paid fee for this inspection in the amount of \$\_\_\_\_\_.

**111-8: Permit Fee:** At the time that a permit is issued, a fee in the amount of \$\_\_\_\_\_ must be paid to the City Clerk.

This Ordinance shall be effective upon ratification by the Common Council following a Public Hearing to be held on October 27, 2015.

Seconded by Councilmember: \_\_\_\_\_ Anadio \_\_\_\_\_

Aye:

Nay:

Dated:

	Aye	Nay		Aye	Nay
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Ordinance \_\_\_\_\_**

Intro O-2

Councilmember Wentworth presented the following Ordinance and moved its adoption:

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**ORDINANCE MODIFYING GLOVERSVILLE CITY CODE SECTION 300-3**

**TO ADD DEFINITION FOR CAT RESCUE SANCTUARY**

**AND MODIFYING DEFINITION OF KENNEL**

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Chapter 300-3 of the Gloversville City Code shall be modified as follows:

1. A definition of the term “Cat Rescue Sanctuary” shall be included to read as follows: A non-profit, 501c3, volunteer based organization that provides rescue and relief to homeless stray and feral cats in the community; provides community outreach and education regarding spaying and neutering in order to help reduce the growth of homeless stray and feral cats; and whose goal is to work to find foster or permanent homes for the homeless stray cats, thus reducing the numbers left living on the streets. Only such organizations with an active permit shall be recognized as a Cat Rescue Sanctuary. The process for obtaining a Cat Rescue Sanctuary permit is outlined in Gloversville City Code, Chapter 111.
  
2. The definition of the term “Kennel” shall be amended to read as follows: A place where dogs are bred or kept.

This Ordinance shall be effective upon ratification by the Common Council following a Public Hearing to be held on October 27, 2015.

Seconded by Councilmember: Anadio

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Resolution \_\_\_\_\_**

Intro R-1

Councilmember Anadio presented the following Resolution and moved its adoption:

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**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT  
WITH THE REGIONAL ANIMAL SHELTER, INC.**

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**WHEREAS**, the City of Gloversville being desirous to enter into a new Contract with The Regional Animal Shelter, Inc.; and

**WHEREAS**, the Common Council having reviewed the annexed Contract and approving the same in form.

**NOW, THEREFORE**, be it is hereby

**RESOLVED**, that Mayor Dayton King is authorized to execute the annexed Contract.

Seconded by Councilmember: Robin Wentworth

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Resolution \_\_\_\_\_**

Intro R-2

Councilmember \_\_\_\_\_ presented the following Resolution and moved its adoption:

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**RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE  
TO EXECUTE BUDGET MODIFICATIONS  
RELATED TO DPW ACCOUNTS**

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**WHEREAS**, as of October 20, 2015, the following accounts had budget deficits:

A1440.1010	Retro Pay	\$98,901.41
A5142.1001	Snow removal overtime	\$25,086.56
A5142.4052	Salt and sand	\$18,581.31

**WHEREAS**, the anticipated cost of repairs to two (2) garbage trucks (A8161.4005) is \$14,000. The account currently has an unencumbered balance of \$1,100.

**WHEREAS**, Budget Modifications are requested as follows:

**Increases:**

A1440.1010	Retro Pay	\$99,000.00
A5142.1001	Overtime	\$26,000.00
A5142.4052	Salt and sand	\$50,000.00
A8161.4005	Service and repair	\$14,000.00

**Decrease:**

A1990.4009	Contingency	\$189,000.00
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**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Common Council authorizes the Commissioner of Finance to make Budget Modifications in the above referenced accounts.

Seconded by Councilmember: \_\_\_\_\_

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					



**Resolution \_\_\_\_\_**

Intro R-3

Councilmember \_\_\_\_\_ presented the following Resolution and moved its adoption:

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**RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE**

**TO EXECUTE A BUDGET MODIFICATION**

**RELATED TO AN INSURANCE CHECK RECEIVED FOR A DAMAGED LAMP POST**

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**WHEREAS**, the City has received a check totaling \$9,743.47 from Progressive Insurance for damages to a lamp post that occurred on March 26, 2015, and

**WHEREAS**, the Commissioner of Finance would like to make a Budget Modification increasing each of the following accounts in the amount of \$9,743.47:

2690                      Other Compensation for Losses  
A3020.4005              Electrician – Service and Repair

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the Common Council authorizes the Commissioner of Finance to make a Budget Modification in the above referenced accounts.

Seconded by Councilmember: \_\_\_\_\_

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Resolution \_\_\_\_\_**

Intro R-4

Councilmember \_\_\_\_\_ presented the following Resolution and moved its adoption:

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**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE  
GLOVERSVILLE ENLARGED SCHOOL DISTRICT  
REGARDING POLICE PERSONNEL ATTENDANCE AT SCHOOL FUNCTIONS**

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**WHEREAS**, the City of Gloversville has received the proposed Agreement for Police personnel attendance at school functions for the period of September 1, 2015 through August 31, 2016, which is attached hereto

**WHEREAS**, the hourly rates reflect possible contractual cost increases as follows:

<b>RANK</b>	<b>HOURLY RATE</b>
Captain	\$87.85
Sergeant	\$76.00
Detective	\$76.75
Police Officer	\$66.40

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that Mayor Dayton King shall be authorized to execute the above referenced Agreement.

Seconded by Councilmember: \_\_\_\_\_

Aye: \_\_\_\_\_

Nay: \_\_\_\_\_

Dated: \_\_\_\_\_

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					

**Resolution \_\_\_\_\_**

Intro R-5

Councilmember \_\_\_\_\_ presented the following Resolution and moved its adoption:

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**RESOLUTION TO SOLICIT SEALED BIDS TO HIRE AN INDEPENDENT CONTRACTOR  
TO PERFORM SIDEWALK SNOW REMOVAL ON COUNTY OWNED PROPERTIES AND  
SNOW REMOVAL ABATEMENTS ON PROPERTIES CITED FOR VIOLATIONS**

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**WHEREAS**, the City is desirous to contract with an independent contractor to perform sidewalk snow removal on county owned properties and abatements on properties cited for violations.

**NOW, THEREFORE**, be it hereby

**RESOLVED**, that the City will hereby solicit sealed written bids to hire an independent contractor to perform above mentioned work, and be it further

**RESOLVED**, that the City Clerk is hereby authorized and directed to advertise three (3) times in the Leader Herald, the official newspaper of the City of Gloversville, that the City is soliciting sealed written bids to hire an independent contractor. Said bids shall be received until 10:00 AM on November 18, 2015 in the City Clerk’s office, City Hall, 3 Frontage Road, Gloversville, NY. Said bids shall be publicly opened and read aloud by the City Clerk, Commissioner of Finance and Director of Public Works at the aforementioned office of the City Clerk at 10:05 AM on November 18, 2015, and be it further

**RESOLVED**, that the City of Gloversville reserves the right to reject any and all bids for no stated reason and to waive any formalities or technicalities.

Seconded by Councilmember: \_\_\_\_\_

Aye:

Nay:

Dated:

	<b>Aye</b>	<b>Nay</b>		<b>Aye</b>	<b>Nay</b>
<u>ANADIO</u>			<u>SIMONDS</u>		
<u>MAHONEY</u>			<u>WENTWORTH</u>		
<u>ROBINSON</u>			<u>ZARRELLI</u>		
<u>SIARKOWSKI</u>					