

COMMON COUNCIL
Regular Session
February 2, 2016

Present: Alderman Gressler, Alderman Shaffer, Alderman Welyczko, Alderman Ruffing, Alderman DeLuca, Alderman Carter, City Attorney Jennifer Chrisman, City Treasurer David Petkovsek, Mayor Mark Blask and City Clerk Kira Andrilla

Absent: Alderwoman Jodway and Alderman Atutis

Comments from the floor:

Dave Burleson a resident from Little Falls expressed a few of his concerns and suggestions regarding the Water Fountain (Resolution #21).

Rob Richard a resident from Little Falls thanked the Mayor for lifting the parking ban.

Minutes:

The minutes of the January 5, 2016 Regular Session were approved as printed and placed on file in the City Clerk's office on motion of Alderman Carter and seconded by Alderman Welyczko.

All in favor: Gressler, Shaffer, Welyczko, Ruffing, DeLuca, Carter
Absent: Jodway, Atutis

Bills:

Bills for the period of January 5, 2016 through February 2, 2016 in the amount of **\$111,979.31. Current Check numbers 19446-19463, prepaid \$3,100.43 Check numbers 19312, 19314, 19366, 19367, 19368, 19439** were approved as audited on motion of Alderman Shaffer and seconded by Alderman Ruffing.

Roll Call: Gressler, Shaffer, Welyczko, Ruffing, DeLuca, Carter
Absent: Jodway, Atutis

Monthly Report:

The report of the City Clerk and Court Clerk for the month of January, 2016 was accepted and placed on file on motion by Alderman Carter and seconded by Alderman DeLuca.

All in favor: Gressler, Shaffer, Welyczko, Ruffing, DeLuca, Carter
Absent: Jodway, Atutis

Resolution #22

February 2, 2016

RESOLUTION No. 22 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, Mary Metott's term on the Board of Assessment Review expired on 9/30/2015, and

WHEREAS, pursuant to NY RPTL Article 5, Section 523(1)(b) the Common Council has the authority to appoint members of the members of the members to the Board of Assessment Review; and

WHEREAS, the terms of members of the Board of Assessment terms run for a term of 5 years commencing on October 1;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Common Council consents to the

This resolution and appointment shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motioned by Alderman DeLuca

Seconded by Alderman Shaffer

All in favor

RESOLUTION # 23 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, the City of Little Falls and the City of Little Falls CSEA entered into a contract for the period from January 1, 2014 through December 31, 2016 in June of 2014; and

WHEREAS, an addendum was requested to be added to said contract specifying the amounts each employee shall contribute to the dental insurance premium each pay period; and

WHEREAS, said addendum has been agreed upon by the City of Little Falls Common Council and the City of Little Falls CSEA;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Mayor is authorized to execute the aforementioned addendum to the contract between the City of Little Falls and the City of Little Falls CSEA.

This resolution shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motion by Alderman DeLuca

Seconded by Alderman Welyczko
Ayes all

Kira Andrilla
City Clerk of the City of Little Falls

An agreement was made by and between the City of Little Falls and the City of Little Falls CSEA Local # 1000, on the 17th day of June, 2014 and amended on the 19th day of November 2015 (hereinafter referred to as "original stated contract") set forth below.

WHEREAS, the parties wish to address and clarify terms of the original stated contract relating to the standalone Dental Insurance provided by the City to the members of said CSEA Union as set forth herein;

NOW THEREFORE, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the state contract.

Any employee who wishes to opt in to the Dental Standalone Rider shall pay \$22.15/pay period for Family coverage and \$6.92/ pay period for individual coverage commencing with the February 19, 2016 payroll through to December 31, 2016.

Resolution #24

Resolution #24 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, the City of Little Falls and the City of Little Falls Fire Department/Little Falls Paid Firefighters Local 2966 entered into a contract for the period from January 1, 2014 through December 31, 2016 in June of 2014; and

WHEREAS, an addendum was requested to be added to said contract specifying the amounts each employee shall contribute to the dental insurance premium each pay period; and

WHEREAS, said addendum has been agreed upon by the City of Little Falls Common Council and the City of Little Falls Fire Department/Little Falls Paid Firefighters Local 2966;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Mayor is authorized to execute the aforementioned addendum to the contract between the City of Little Falls and the City of Little Falls Fire Department/Little Falls Paid Firefighters Local 2966.

This resolution shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motion by Alderman Shaffer
Seconded by Alderman DeLuca
Ayes all

Kira Andrilla
City Clerk of the City of Little Falls

An agreement was made by and between the City of Little Falls and the City of Little Falls Paid Firefighters Union, on the 17th day of June, 2014 and amended on the 19th day of November 215 (hereinafter referred to as "original stated contract") set forth below.

WHEREAS, the parties wish to address and clarify terms of the original stated contract relating to the standalone dental Insurance provided by the City to the members of said Firefighters Union as set forth herein.;

NOW THEREFORE, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the stated contract.

Any employee who wishes to opt in to the Dental Standalone Rider shall pay \$22.15/pay period for Family coverage and \$6.92/pay period for individual coverage commencing with the February 19, 2016 payroll through to December 31, 2016.

Resolution # 25

Resolution #25 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, the City of Little Falls and the City of Little Falls Police Department/Police Benevolent Association entered into a contract for the period from January 1, 2014 through December 31, 2016 in June of 2014; and

WHEREAS, an addendum was requested to be added to said contract specifying the amounts each employee shall contribute to the dental insurance premium each pay period; and

WHEREAS, said addendum has been agreed upon by the City of Little Falls Common Council and the City of Little Falls Police Department/Police Benevolent Association;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Mayor is authorized to execute the aforementioned addendum to the contract between the City of Little Falls and the City of Little Falls Police Department/Police Benevolent Association.

This resolution shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motion by Alderman DeLuca

Seconded by Alderman Welyczko

Ayes all

Kira Andrilla

City Clerk of the City of Little Falls

An agreement was made by and between the City of Little Falls and the City of Little Falls Police Benevolent Association, on the 17th day of June, 2014 and amended on the 19th day of November 2015 (hereinafter referred to as "original stated contract") set forth below.

WHEREAS, the parties wish to address and clarify terms of the original stated contract relating to the standalone Dental Insurance provided by the City to the members of said PBA Union as set forth herein;

NOW THEREFORE, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the stated contract.

Any employee who wishes to opt in to the Dental Standalone Rider shall pay \$22.15/pay period for Family coverage and \$6.92/pay period for individual coverage commencing with the February 19, 2016 payroll through to December 31, 2016.

Resolution #26

February 2, 2016

RESOLUTION No. 26 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, it has been proposed that the Canal Harbor and Tourism Commission be separated into two separate Boards – Canal Harbor Commission and Tourism Board;

WHEREAS, the proposed amendment would amend the Article 2, Section 204 and Article 5 of the City of Little Falls Charter;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Public Hearing shall be scheduled and held on March 1, 2016 at 6:15 p.m. at

City Hall, Little Falls, NY to hear all interested parties on the proposed amendment to Local Law #7 of 2014 and Article 2, Section 204 and Article 5 of the City of Little Falls Charter. The City Clerk shall duly advertise Notice of the Public Hearing in the Evening Times, Little Falls, NY the official newspaper of the City on at least five (5) days before said hearing.

This resolution shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motion Alderman Gressler

Second Alderman DeLuca

All Ayes

Kira Andrilla

City Clerk of the City of Little Falls

Mayor Blask explained that the Committee met the first time in January. He feels that it would make sense to divide Harbor/Tourism into two separate groups. To do this, it is required to have a public hearing for the Local Law.

LOCAL LAW # 1 OF 2016

**A LOCAL LAW AMENDING THE CITY CHARTER AND LOCAL LAW #7 OF 2014 TO SEPARATE THE CANAL HARBOR AND TOURISM COMMISSION INTO TWO SEPARATE BOARDS
BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS AS FOLLOWS:**

Section 1: Factual Statements

The City of Little Falls by Local Law #3 of 2008 amended the City Charter, adding subsection p to section 204 of Article 2 of the City Charter setting forth the establishment and power of appointment of the Canal Harbor Commission and adding section 516 to Article 5 of the City Charter setting forth the Powers and Duties of the Canal Harbor Commission.

The City of Little Falls by Local Law # 7 of 2014 again amended the City Charter by combining Canal Harbor Commission established by Local Law # 3 of 2008 and the Tourism Committee

After having been a combined board for the year 2015 it has been determined that the duties and responsibilities of Canal Harbor and Tourism Commission would better be served by splitting the Commission into the Canal Harbor Commission and the Tourism Board.

As such, the Article 2, Section 204 (p) and Article 5, Section 516 of the City of Little Falls Charter shall be amended and subsection (q) shall be added to Article 2, Section 204 setting forth the establishment and power of appointment of the Tourism Board and Section 517 shall be added to Article 5 of the City of Little Falls Charter setting forth the Powers and Duties of the Tourism Board.

A public hearing was held on _____, 2016 at _____ p.m. having been duly noticed in the Little Falls Evening Times.

Section 2: Local Law #7 of 2014 and Article 2, Sections 204 (p) and (q) and Article 5, Sections 516 of the City of Little Falls Charter shall be amended as follows:

1. City Charter Article 2, Section 204 (p) shall be amended and read as follows:

There shall be five members of the CANAL HARBOR COMMISSION. Four members, whose term of office shall be four years, shall be appointed by the Mayor with the consent of the Common Council. One member may be a business professional, but is not required to be a resident of the City of Little Falls. The remaining members shall be residents of the City of Little Falls. The fifth member shall be a member of the Common Council to be appointed by the Mayor in the month of January following an election year of the Common Council and shall serve for a two year term.

2. That Article 5 of the City Charter shall be amended as follows:
Section 516. Organization, Powers and Duties of the Canal Harbor Commission. **The Canal Harbor Commission shall elect one of its members to be Chairperson of said Commission who shall be the presiding officer of the Commission. Three members shall constitute a quorum, but no action of the Commission shall be taken except by the concurring votes of at least three members of the Commission.**

The Canal Harbor Commission shall manage, operate, maintain and govern the Canal Harbor Terminal Building. The Commission shall have full authority to engage, hire, oversee, discharge and fix the compensation of a vendor or vendors for and lease concessions and collect payments therefore which shall be deposited with the Treasurer of the City of Little Falls who shall maintain a separate ~~account~~ **accounting** of said revenues. Purchases made by the Commission and all expenses incidental to the management and maintenance of the Canal Harbor Terminal Building shall be made only upon submission of Proper vouchers made by the Chairperson of said Commission and audited by said Commission, and such

expenditures and payments shall be chargeable to and payable from the ~~account~~ **budget** maintained by the City Treasurer for said purposes.

3. That Article 2, Section 204 shall be amended to add subsection (q) which shall read as follows:

Six members of the TOURISM BOARD whose term of office shall be four years and who shall be appointed by the Mayor with the consent of the Common Council. One member may be a business professional, but is not required to be a resident of the City of Little Falls. The remaining members shall be residents of the City of Little Falls.

4. That Article 5, shall be amended to include Section 517 which shall read as follows: Section 517. Organization, Powers and Duties of the Canal Harbor Commission. **The Tourism Board shall elect one of its members to be Chairperson of said Board who shall be the presiding officer of the Board. Four members shall constitute a quorum, but no action of the Board shall be taken except by the concurring votes of at least four members of the Board.**

The Tourism Board shall have the authority to develop tourism, to market and promote the City as a whole and shall concentrate on attracting more people to the City of Little Falls. Any expenditures of the Tourism Board shall be for such stated purposes and shall be chargeable to and payable from the **budget** maintained by the City Treasurer for said purposes.

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Little Falls hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date

This local law shall take effect thirty days after it has been filed as provided in Section 27 of the Municipal Home Rule Law.

OLD BUSINESS:

Resolution #21

TRB ASSOCIATES AND MAIN STREET FIRST – WATER FOUNTAIN

February 2, 2016

**RESOLUTION No. 21 OF THE COMMON COUNCIL OF THE
CITY OF LITTLE FALLS**

WHEREAS, the City of Little Falls Common Council authorized the City Attorney to negotiate a proposed contract for consideration with TRB Associates and Main Street First for a public rest area to be located on Main Street side of Shoppers Square; and

WHEREAS, the terms of the proposed contract are as follows:

THIS AGREEMENT made and entered into this ____ day of _____ 2016 by and between TRB Associates, LLC, a Connecticut limited liability company duly authorized to conduct business in the State of New York having an office c/o Oxford Group, 388 Main Street, Branford, Connecticut 06405 (hereinafter “TRB”), Main Street First, a not for profit 501C corporation, incorporated in the State of New York (hereinafter “MSF”), and the City of Little Falls, a municipal organization organized and existing under the laws of the State of New York with principal offices at 659 East Main Street, Little Falls, New York 13365 (hereinafter “City”).

WITNESSETH

Whereas, the City, MSF and TRB, the owner of certain property lying situate on Main Street in the City of Little Falls, New York, known as “Shopper’s Square wish to enter into an agreement to provide a public rest area located at Shopper’s Square on Main Street; and

Whereas, MSF is in possession of a solar powered fountain and has reached an agreement with TRB to install a fountain and benches owned by MSF and a memorial plaque owned by TRB on a portion of the property known as Shopper’s Square to create a rest area; and

Whereas, said subject portion of property has been excepted out of a lease between TRB and Price Chopper (See Exhibit “A” for the lease amendment excepting such portion); and

Whereas said portion of property is a 25 foot by 25 foot section (see Exhibit “B” for the legal description of said portion of the property); and

Whereas, MSF has, pursuant to its agreement with TRB, constructed the rest area and installed the fountain, benches and memorial plaque on subject portion of Shopper's Square; and

Whereas, said rest area has been inspected by the City of Little Falls Codes Enforcement Officer and was determined to be in compliance with applicable City of Little Falls and State of New York laws, rules, regulations and codes;

NOW THEREFORE,

1. TRB, in consideration of one and 00/100 Dollar (\$1.00) lawful money of the United States, does hereby grant and release unto the City, its successors and assigns of the City forever a permanent easement of the area more fully described at Exhibit "B" attached hereto (hereafter "Easement Parcel");
2. MSF and TRB hereby donate to the City the fountain, benches and plaque constructed in the Easement Area and relinquish all control of said appurtenances;
3. The City as owner of the Fountain, benches and plaque shall be solely responsible for the maintenance, repair, inspection, etc. from the date of this Agreement forward;
4. The City shall also maintain a policy of commercial general liability insurance on the Easement Parcel and the appurtenances contained thereon with a minimum combined single limit of \$1,000,000/\$3,000,000 aggregate with TRB named as an additional insured and shall furnish TRB with proof of such coverage within thirty (30) days of the execution of this Agreement.
5. The City further agrees to indemnify, defend and hold harmless TRB, its successors and assigns from and against any claims, liabilities, suits, demands, actions, courses of action, damages, costs (including but not limited to reasonable attorneys' fees and disbursements) (collectively, "Claims") arising out of or in any way related to the maintenance, repair and/or inspection of the Easement Parcel and appurtenances contained thereon and its use by the public;
6. The City may terminate said agreement upon thirty (30) days written notice to TRB via certified mail, should the City not be able to maintain insurance. Upon termination of this Agreement, said Easement Parcel, fountain, benches and plaque shall revert back to TRB and the public shall no longer have any right to use the Easement Parcel.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the City of Little Falls agrees to enter into and authorizes the Mayor to execute the aforementioned mentioned contract once the following pre-requisites have been met:

1. MSF has, pursuant to its agreement with TRB, constructed the rest area and installed the fountain, benches and memorial plaque on subject portion of Shopper's Square; and
2. Said rest area has been inspected by the City of Little Falls Codes Enforcement Officer and was determined to be in compliance with applicable City of Little Falls and State of New York laws, rules, regulations and codes.

This resolution shall take effect upon passing hereof by the Common Council.

Dated: February 2, 2016

Motion Alderman Shaffer
Second Alderman Welyczko

Roll Call: Gressler, Ruffing, DeLuca
Nay: Shaffer, Welyczko, Carter
Absent: Jodway, Atutis

Resolution # 21 did not pass with a 3-3 vote

Kira Andrilla, City Clerk of the City of Little Falls

Mayor Comments:

Mayor Blask informed everyone that the parking ban is off. He asked that everyone be smart about parking on the streets and to please keep an eye out for the forecast.

Mayor also thanked the PD for a great job with arresting the individual involved in the attempted robbery little less than 6 hours after.

Benton Hall Academy was put into lock down today due to some circumstances. However, Chief Masi informed Mayor Blask that the man was in custody.

Adjournment:

Meeting was adjourned at 7:15p.m. With the motion made by Alderman Carter and seconded by Alderman Welyczko with all in favor.

Next meeting will be March 1, 2016. Public Hearing 6:15 pm, Bills will be at 6:30 pm with a regular session of the Common Council at 7:00 pm. **Any questions please contact City Clerk.** Thank you