

**COMMON COUNCIL**  
**Regular Session**  
**June 7, 2016**

**Present:** Alderman Gressler, Alderman Shaffer, Alderwoman Jodway, Alderman Welyczko, Alderman Ruffing, Alderman DeLuca, Alderman Atutis, City Treasurer David Petkovsek, City Attorney Jennifer Chrisman, Mayor Mark Blask, City Clerk Kira Andrilla.

**Comments from the floor:**

Mr. Bill Bennett thought that the picnic tables in Burke Park was a great idea.

Mr. Mike Bulger announced the Thursday night car show.

**Minutes:**

The minutes of the May 3, 2016 Regular Session were approved as printed and placed on file in the City Clerk's office on motion of Alderwoman Jodway and seconded by Alderman Welyczko.

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

Absent: Carter

**Bills:**

Bills for the period of May 3, 2016 through June 7, 2016 in the amount of **\$156,076.55. Current Check Numbers 60153-60178, Pre-paid \$5,599.63 Check Numbers 19896, 19897, 60026, 60028, 60032, 60033, 60063, 60064, 60066, 60140, 60141, 60142, 60144, 60147, 60148, 60150** were approved as audited on motion of Alderman Shaffer and seconded by Gressler.

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

Absent: Carter

**Monthly Report:2**

The report of the City Clerk and Court Clerk for the month of May, 2016 was accepted and placed on file on motion by Alderwoman Jodway and seconded by Alderman Ruffing.

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

Absent: Carter

RESOLUTION #38

Mayor Blask gave a brief overview on resolution #38.

AGREEMENT MADE THE 7<sup>TH</sup> DAY OF JUNE, 2016 BETWEEN COUNTY OF HERKIMER (herein called the County)

And

CITY OF LITTLE FALLS (herein called the City)

Both being municipal corporations of the State of New York.

WHEREAS, County and the City entered into an agreement dated November 13, 2012 regarding the allocation and disposition of the three percent (3%) sales and compensating use tax which had been enacted during the month of December, 1987, and which became effective on March 1, 1988; and

WHEREAS, that agreement contained an error in Paragraph 7, which discussed the allocation of proceeds to be distributed to the Towns and Villages in that it incorrectly used the figure of one half of the total amount, after deduction of \$1,000,000.00, rather than the correct figure of one third of that amount, which has been the agreed upon amount since the enactment of the sales tax in 1987; and

WHEREAS, the parties now wish to correct that error;

NOW, THEREFORE, it is hereby agreed as follows:

1. The second sentence in Paragraph 7 of the 2012 agreement described above shall be amended to recite the same language which has been in all prior agreements and which was intended by the parties to be in the 2012 agreement, as follows: “ Said allocations shall be made during the first year of this agreement in the amount of one third of the total amount, after deduction of \$1,000,000.00 or portion thereof as provided above, received by the County for County sales and compensating use taxes collected within the County, with the Legislature to have the right for succeeding years of the terms of this contract to increase such share to one half of said amount.”
2. In all other respects the said agreement dated November 13, 2012 between the County and the City shall remain in full force and effect except as modified herein.
3. This agreement shall be subject to the approval of the State Comptroller.

Approved as to form

Robert J. Malone

County Attorney

County of Herkimer

Bernard Peplinski, Sr., Chairman

Herkimer County Legislature

Approved as to form

Jennifer Chrisman

City Attorney

City of Little Falls

Mark Blask, Mayor

**June 7, 2016**

**RESOLUTION No. 38 OF THE COMMON COUNCIL OF THE  
CITY OF LITTLE FALLS**

**WHEREAS**, the City of Little Falls and the County of Herkimer entered into an agreement dated November 13, 2012, regarding the allocation and disposition of the three percent (3%) sales and compensating use tax which was enacted in December 1987 and became effective on March 1, 1988; and

**WHEREAS**, it was recently discovered that said agreement contained an error in Paragraph 7 which discussed the allocation of proceeds to be distributed to the towns and villages; and

**WHEREAS**, upon review, said error was clearly a scrivener's error (drafting error) which incorrectly listed the figure of one-half of the total amount, after deduction of one million dollars, rather than the historically correct figure of one-third of that amount, which had historically been the agreed upon amount since the enactment of the sales tax in 1987; and

**WHEREAS**, the parties now wish to correct that error;

**NOW THEREFORE, BE IT RESOLVED** that,

1. The second sentence in Paragraph 7 of the 2012 agreement described above shall be amended to recite the same language which has been in all prior agreements and to reflect the intent of the parties in 2012. Said sentence shall read as follows: "Said allocations shall be made during the first year of this agreement in the amount of one-third of the total amount, after deduction of

\$1,000,000.00 or portion thereof as provided above, received by the County for County sales and compensating use taxes collected within the County, with the Legislature to have the right for succeeding years of the terms of this contract to increase such share to one-half of said amount”;

2. All other terms of the November 13, 2012 agreement between the City of Little Falls and the County of Herkimer shall remain unaltered and in full force and effect;
3. The Common Council hereby authorizes the Mayor of the City of Little Falls to execute said amendment to the aforementioned agreement (copy attached hereto);
4. That the allocation and distribution of funds collected as sales tax after December 31, 2012 be governed by the agreement with the City of Little Falls dated November 13, 2012, as amended pursuant to this resolution and agreement;
5. The City Clerk shall forward a certified copy of this resolution to the County Attorney.

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

Dated: June 7, 2016

Motion Alderman Shaffer

Second Alderman DeLuca

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

Absent: Carter

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Kira Andrilla

City Clerk of the City of Little Falls

RESOLUTION #39

RE-APPOINTMENT – Housing Authority

June 7, 2016

To the Honorable

Common Council

Little Falls, NY 13365

Dear Council Members:

Pursuant to the Charter of the City of Little Falls, New York, I hereby make the following appointment to the Commission of Housing Authority subject to your approval.

Joan Vogt

78 Moreland Street

Little Falls, NY 13365

Respectfully,

Mark Blask, Mayor

Motion: Alderwoman Jodway

Seconded by Alderman Gressler

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

Absent: Carter

RESOLUTION # 40

RESOLUTION # 40 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

WHEREAS, there appointments on the Board of Public Works, and

WHEREAS, pursuant to Article 2, Section 204 of the Charter, the Mayor of the City of Little Falls, with the consent of the Common Council, has the authority to appoint members of the Board of Public Works.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Common Council consents to the appointment of James Lorenzoni to the Board of Public Works. To fill Rodney St. Louis term. Said term(s) shall expire 12/31/20.

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

Dated June 7, 2016

Motioned by Alderman DeLuca

Seconded by Alderman Ruffing

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

Absent: Carter

RESOLUTION #41

**June 7, 2016**

**RESOLUTION No. 41 OF THE COMMON COUNCIL OF THE  
CITY OF LITTLE FALLS**

**WHEREAS**, the City of Little Falls Department of Public Works is in need of a new garbage truck as one of the City's two garbage trucks has needed several repairs resulting in the City having to rent a garbage truck; and

**WHEREAS**, the County of Onondaga has an developed and made available for use by other municipalities a contract for the purchase of class 8); and

**WHEREAS**, the City Attorney has contacted the County of Onondaga Division of Purchase and was advised that the contract award went to the lowest responsible bidder or on the basis of best value consistent with General Municipal Law 103; and

**WHEREAS**, based on the above the City of Little Falls is not required to have a separate bidding process;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Little Falls hereby authorizes the Department of Public Works to opt in to the above referenced contract and order a 2017 garbage; and

**BE IT FURTHER RESOLVED that** the City of Little Falls Common Council agrees to finance said purchase pursuant to a bond at the appropriate time.

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

Dated: June 7, 2016

Motion Alderman Shaffer

Second Alderman Atutis

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

John Sullivan was present to answer any questions. Mayor and John Sullivan updated the Council on the garbage truck issues. City Treasurer was available to answer any questions regarding the monies.

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Kira Andrilla

City Clerk of the City of Little Falls

**Mayor:**

Mayor Blask thanked the American Legion Post #31 for a great Memorial Day service. Mayor also updated the Council on the summer program and the new tennis program that is available.

**Adjournment:**

Meeting was adjourned at 7:28p.m. With the motion made by Alderman DeLuca and seconded by Alderman Welyczko with all in favor.

Next meeting will be July 5, 2016. 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