

COMMON COUNCIL

Regular Session

September 3, 2024

Present: Mayor Deborah Kaufman, City *Clerk* Kira Miller, Alderman Tim Lyon, Alderman Jonathan Shaffer, Alderman Todd Dillon, Alderman Michael Masi, Alderman Mark Ruffing, Alderman Dan Carter, Alderman Dave Carpineti, City Treasurer, City Engineer, City Attorney

Absent: Alderman Brian Marhaver

Minutes:

The minutes of the August 6, 2024, Regular Session of the Common Council, were approved as printed and placed on file in the City Clerk's office on motion of Alderman Shaffer and seconded by Alderman Dillon.

Ayes all

Bills:

Bills for the period of August 6, 2024 through September 3, 2024 in the amount of \$ Current **Check numbers** , pre-paid \$ **Check numbers** were approved as audited on motion of Alderman Ruffing and seconded by Alderman Carter.

Ayes all

Monthly Report:

The report of the City Clerk, Court Clerk, City Treasurers for the month of August 2024 was accepted and placed on file on motion by Alderman Carpineti and seconded by Alderman Carter.

Ayes all

Resolution # 41
Appointments – Zoning Board of Appeals
September 3, 2024

September 3, 2024

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

WHEREAS, there is a vacancy/are vacancies on the **Zoning Board**, 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 re-appoint/appoint members of the **Zoning Board**;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that the Common Council consents to the appointments of **Bianka Rico and Ralph Renzulli** to the Zoning Board. Said terms to expire 9/2027

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

Dated: September 3, 2024

Motion: Alderman Shaffer

Second: Alderman Dillon

Roll Call: Lyon, Shaffer, Dillon, Masi, Ruffing, Carter, Carpineti

Absent: Marhaver



Kira M. Miller, City Clerk of the City of Little Falls



Deborah Kaufman Mayor of the City of Little Falls

Mayor Kaufman explained that due to work conflicts two board members David Beers and Kathy Prestopnik had to resign.

Resolution #42
Public Hearing – Local Law #5
September 3, 2024

RESOLUTION No. 42 OF THE COMMON COUNCIL OF THE CITY OF LITTLE FALLS

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 October 1, 2024 at 6:45pm at City Hall, Little Falls, NY to hear all interested parties on Local Law#5 of 2024 for Public Camping. The City Clerk shall duly advertise Notice of the Public Hearing in the Times Telegram, 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.

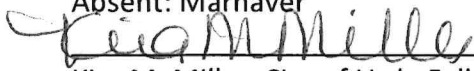
Dated: September 3, 2024

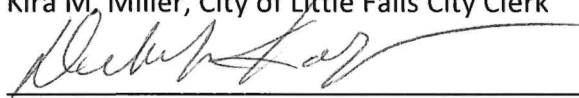
Motion: Alderman Ruffing

Seconded by : Alderman Shaffer

Roll Call: Lyon, Shaffer, Dillon, Masi, Ruffing, Carter, Carpineti

Absent: Marhaver


Kira M. Miller, City of Little Falls City Clerk


Deborah Kaufman, Mayor of the City of Little Falls

Mayor Kaufman explained the resolution and answered all questions.

Local Law #5

Regulating camping in public places within the City of Little Falls

LOCAL LAW NO. 5

A Local Law regulating camping in public places within the City of Little Falls.

Section 1. Legislative Intent and Authority

The purpose of this Local Law shall be to prohibit camping and lodging on public streets, publicly owned or leased property, public parks and other prohibited public spaces. People camping on public property and on public right of ways create a public health and safety hazard because of the lack of proper electrical and/or sanitary facilities for such campers. Use of public property for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Moreover, it is probable that large numbers of transient people camping on public streets or public property would strain current City police, fire and disposal facility resources.

The authority to adopt this Local Law is derived from Article IX, Section 2(c) of the New York Constitution; Article 2 Section 10 of the Statute of Local Governments and Article 2, Section 10 of the Municipal Home Rule which authorize the City to adopt Local Laws and regulations provisions that advance and protect the health, safety and welfare of the community.

Section 2. Definitions.

For the purposes of this Local Law, the following words, phrases and terms and their derivations shall have the meanings herein given. When not inconsistent with the context, words used in the present tense include the future, words used in the singular include the plural (and vice versa) and words used in the masculine include the feminine. The word "shall" is always mandatory and not merely directory.

CAMPING: Residing in or using any public street, publicly owned or leased property, public park or other prohibited public space as determined by the Common Council or those charged with the authority to enforce this Local Law for living accommodations, lodging or sleeping purposes, as exemplified by remaining for prolonged or repeated periods of time (but in no instance overnight) not associated with ordinary use of the street, property, park or public place, with ones possessions or while storing one's possessions (including, but not limited to, clothing, sleeping bags, bed rolls, sheets, hammocks, or other sleeping implements, luggage, backpacks, kitchen utensils, cookware and food or beverages) cooking or consuming meals, or lodging in a parked vehicle, tent or other structure or accommodation not suited for permanent living as defined by the New York State Uniform Fire Prevention and Building Code or by any local law adopted as permitted by Executive Law Section 370. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person (or group of persons) is using the public street or right of way or orther public property or place as a living, lodging or sleeping accommodation regardless of his intent, or the nature of any other activites in which he might be engaged without a permit from the City.

PROHIBITED PUBLIC PLACES – Any place not designated as a public campground pursuant to Federal, State or local statute or ordinance and shall include the following:

- a. Public street, sidewalks, alleyways, passageways and rights of way;
- b. Publicly owned property;
- c. Public parks;
- d. Public parking lots, whether publicly owned or privately;
- e. Public landscaped areas, whether publicly or privately owned and maintained pursuant to a public easement or agreement for public maintenance;
- f. Private property that is readily accessible to the general public or is otherwise open to common general use;
- g. Vacant lots that are readily accessible to the general public or otherwise open to common general use or that attract activity that may pose a threat to public health and safety; and
- h. Drainage culverts and basins.

Section 3. Prohibited Camping.

Except as otherwise provided in this Local Law, no person shall camp or lodge on a public street, including in a vehicle parked on a public street, on publicly owned or leased property, and other prohibited public places. However, nothing herein shall be construed to prohibit camping in public campgrounds pursuant to a permit or license authorized under Federal, State or local statute or ordinances.

Section 4. Permitting Camping.

Nothing herein shall prohibit camping on special occasions or for special occasions or for special events provided approval is granted in accordance with the rules, regulations and fees of said regulatory authority. The Common Council may establish and may revise rules, regulations and fees from time to time by resolution.

Section 5. Fine and Penalties.

Upon conviction, a violation of this Local Law shall be deemed an offence and punishable by a fine of between \$100 and \$500 or by imprisonment of a term not exceeding 15 days, or by both fine and imprisonment. The court shall consider the number of offences when imposing fines and penalties.

The continued violation of this Local Law shall constitute, for each day the offence is continued, a separate and distinct offence hereunder.

Section 6. Removal of Campsite on Public Property.

Upon discovery of a campsite on public property, removal of the campsite by the Police Department may occur under the following circumstances;

- a. Prior to removing the campsite, the City shall post a notice, 24-hours in advance at the campsite.
- b. At the time a 24-hour notice is posted, the City shall inform a local agency (delivering social services to homeless individuals) of the location of the campsite.
- c. After the 240hour notice period has passed, the Police Department is authorized to remove the campsite and all personal property related thereto.

Section 7. Disposition and Release of Personal Property.

For purposes of this Local Law, "personal property" means any item reasonably recognizable as belonging to a persona and having apparent utility or monetary value. Items having no apparent utility or monetary value and items in an unsanitary condition may be immediately discard. Weapons, drug paraphernalia, items appearing to be stoled, and evidence of a crime may be retained as evidence by the Polcie Department until an alternate disposition is determined. All personal property removed from the campsite which is not retained, disposed of, or held as evidence (as provided above) shall be stored by the Police Department for a minimum of 30 days, during which time it shall be reasonably available for and released to an individual confirming ownership.

Section 8. Enforcement.

This local law shall be enforced b any officer of the City of Little Falls Police Department, the City Code Enforcement Officer, or the New York State Police. The City Code Enforcement Officer or City Attorney is authorized ro prosecute violations of this Local Law.

Section 9. Severability.

The invalidity or unenforceabiltiy of any section, subsection, paragraph, sentence, clause, provision, phrase of this Local Law, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceabiltiy of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 10. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State as required by law.

Resolution #43

42432-2-705

BOND RESOLUTION

At a regular meeting of the Common Council of the City of Little Falls, Herkimer County, New York, held at City Hall, in said City, on the 3rd day of September, 2024, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Deborah Kaufman and upon roll being called, the following were

PRESENT: Tim Lyon, Jonathan Shaffer, Todd Dillon, Michael Masi, Mark Ruffing, Dan Carter, Dave Carpineti

ABSENT: Brian Marhaver

The following resolution was offered by Alderman Shaffer, who moved its adoption, seconded by Alderman Lyon, to wit:

BOND RESOLUTION DATED SEPTEMBER 3, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF A GARBAGE TRUCK, FOR THE CITY OF LITTLE FALLS, HERKIMER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$310,000, AND AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED by the affirmative vote of **not less than two-thirds of the total voting strength** of the Common Council of the City of Little Falls, Herkimer County, New York, as follows:

Section 1. The purchase of a garbage truck, including incidental equipment and expenses in connection therewith, in and for the City of Little Falls, Herkimer County, New York, is hereby authorized at a maximum estimated cost of \$310,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$310,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Little Falls, Herkimer County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

Lyon VOTING Yes

Shaffer VOTING Yes

Dillon VOTING Yes

Masi VOTING Yes

Ruffing VOTING Yes

Carter VOTING Yes

Carpineti VOTING Yes

_____ VOTING _____

_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF HERKIMER)

I, the undersigned Clerk of the City of Little Falls, Herkimer County, New York, DO
HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 6th day of August, 2024.
- 2) That such meeting was a **special** **regular** (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5) That all members of the Common Council of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this 3rd day of September, 2024.



City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on September 3, 2024, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Little Falls, Herkimer County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Little Falls, New York,
September 3, 2024.

/s/ Kira M. Miller
City Clerk

BOND RESOLUTION DATED SEPTEMBER 3, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF A GARBAGE TRUCK, FOR THE CITY OF LITTLE FALLS, HERKIMER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$310,000, AND AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

Specific object or purpose:	Purchase of a garbage truck
Period of probable usefulness:	Fifteen years
Maximum Estimated Cost:	\$310,000
Amount of obligations to be issued:	\$310,000 bonds.
SEQRA status:	Type II Action

Resolution #43

42432-2-706

BOND RESOLUTION

At a regular meeting of the Common Council of the City of Little Falls, Herkimer County, New York, held at City Hall, in said City, on the 3rd day of September, 2024, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Deborah Kaufman, and upon roll being called, the following were

PRESENT: Lyon, Shaffer, Dillon, Masi, Ruffing, Carter, Carpineti ABSENT: Marhaver

The following resolution was offered by Alderman Shaffer, who moved its adoption, seconded by Alderman Lyon to wit:

BOND RESOLUTION DATED SEPTEMBER 3, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES, FOR THE CITY OF LITTLE FALLS, HERKIMER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$85,000, AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED by the affirmative vote of **not less than two-thirds of the total voting strength** of the Common Council of the City of Little Falls, Herkimer County, New York, as follows:

Section 1. The purchase of police vehicles to replace those in service for at least one year, including incidental equipment and expenses in connection therewith, in and for the City of Little Falls, Herkimer County, New York, is hereby authorized at a maximum estimated cost of \$85,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$85,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Little Falls, Herkimer County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be

in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

Lyon VOTING Yes

Shaffer VOTING Yes

Dillon VOTING Yes

Masi VOTING Yes

Ruffing VOTING Yes

Carter VOTING Yes

Carpinetti VOTING Yes

_____ VOTING _____

_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF HERKIMER)

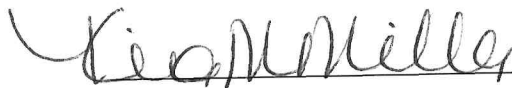
I, the undersigned Clerk of the City of Little Falls, Herkimer County, New York, DO
HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 3rd day of September, 2024.
- 2) That such meeting was a **special** **regular** (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5) That all members of the Common Council of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this 3rd day of September, 2024.



City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on September 3, 2024, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Little Falls, Herkimer County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Little Falls, New York,
September 3, 2024.

/s/ Kira M. Miller

City Clerk

BOND RESOLUTION DATED SEPTEMBER 3, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES, FOR THE CITY OF LITTLE FALLS, HERKIMER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$85,000, AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

Class of objects or purposes:	Purchase of police vehicles
Period of probable usefulness:	3 years
Maximum Estimated Cost:	\$85,000
Amount of obligations to be issued:	\$85,000 bonds.
SEQRA status:	Type II Action

Resolution #44

Agreement with Barton & Loguidice –

Re: Supplement for Replacement of WWTP Boilers – Bidding & Construction

Phase Services

File: 1320.008.001

Dear Mr. Szymanski:

Barton & Loguidice (B&L) and our subconsultant, Jade Stone Engineering, PLLC, have competed the design of the boiler replacements at the three (3) locations and have submitted the design documents to the City for comments. The City has requested that the three (3) locations be bid and constructed separately as City funds allow.

B&L offers the following Scope of Engineering Services for your consideration to revise the design documents, publicly bid the wastewater plant boiler system and provide construction phase services.

B&L offers the following Scope of Engineering Services for your consideration:

Design Phase Services

- Revise the contract documents so that the three (3) locations can be bid separately as their own construction projects.

Bidding Services

- B&L will assist the City in bidding the project. Bid assistance will include preparation of Advertisement for Bid(s) for publication by the City in its official newspaper, notifying potential bidders of advertisement publication, assisting with contract document distribution, addressing contractor questions during the bid phase and preparing responses as appropriate, preparing addenda as required and issuing the same to contractors.
- Upon receipt of the bids by the City, B&L will attend the bid opening and then tabulate the bids, review the qualifications of the low bidder for each contract, or

if necessary, as many as the three (3) lowest bidders and prepare a recommendation of award to the City for each contract.

- For the purposes of City approval, one (1) copies of Contract Documents will be provided. Additional sets would be provided at cost, if required. The bidding documents will be uploaded and distributed by through a web-based plan room.
- B&L will issue a Notice of Award the successful bidder upon the City's direction

Construction Services

Construction Administration and Observation

- B&L will prepare conformed copies of the successful bidder's submittal for contract execution.
- Conduct a pre-construction conference with the Contractors.
- Review shop drawings and submittals for the material and equipment to be incorporated into the project for conformance with the Contract Documents. A maximum of three (3) reviews for any one shop drawing or submittal will be provided.
- Attend pre-construction project meeting with the contractor's representatives, make two (2) additional periodic site visits to the project site during construction of the project, and advise the City regarding construction related issues. (Total of three (3) meetings, not including final field meeting). Additional hours beyond the assumed amount would be billed at our standard billing rate at the time of service.
- Review contractor's payment applications and submit same to the City for processing and prepare change orders, if necessary.
- Attend a final field meeting and complete final review of the completed construction, and prepare a report on any deficiencies, corrective actions required etc. as determined at said review. B&L will inform the City in writing of any operations and procedures that may lead to delay in the construction.
- Prepare completed construction drawings based on information compiled by B&L personnel and the Contractors. We will deliver two (2) hard copy sets and one (1) electronic copy (AutoCAD, latest version) of the drawings.
- B&L would prepare a meeting minutes and/or site report with photographs that would record the Contractor's progress of work during visits.
- B&L will be present during start-up and testing to verify that is in accordance with the City Standards, Plans, Contract Documents and intended function. This will be completed during the final field meeting.

The amount of time required for construction administration and observations is dependent on the contractor's progress and final scope of the construction project. Based on our experience, we have estimated what we feel is a reasonable time frame for

completion of the work, and have estimated the time required for construction administration and observation accordingly.

Fee for Services

The proposed fee for engineering services outlined above would be as follows:

Design Revision (Lump Sum)	\$10,100
Bidding Services (Lump Sum)	\$4,600
Construction Administration Services (Lump Sum)	\$14,600
Expenses (Time and Expense)	<u>\$500</u>
TOTAL	\$29,800

We would not exceed this amount unless the City first authorized a modification of the scope and fee B&L will have the ability to reallocate engineering fee between phases, if needed. If construction exceeds the allocation above, further construction observation and administration would be provided as an additional service.

Thank you for the opportunity to be continued service to the City of Little Falls. If you have any questions, please feel free to contact our office.

Sincerely Barton & Loguidice, D.P.C

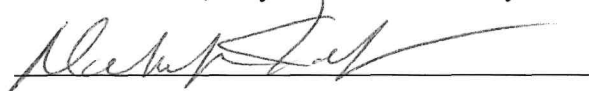
Donald H. Fletcher, P.E.

Principal

This resolution was approved with a motion made by Alderman Shaffer and seconded by Alderman Lyon Roll Call: Lyon, Shaffer, Dillon, Masi, Ruffing, Carter, Carpineti
Absent: Marhaver



Kira M. Miller, City of Little Falls City Clerk



Deborah Kaufman, Mayor of City of Little Falls

Resolution #45

**Memorandum of Agreement between City of Little Falls and CSEA Local 1000,
AFSCME AFL-CIO Herkimer County Local 822, City of Little Falls Police Unit
7115-01**

**Memorandum of Agreement
Between
City of Little Falls
And
CSEA Local 1000, AFSCME AFL-CIO
Herkimer County Local 822, City of Little Falls Police Unit 7115-01**

This Memorandum of Agreement (MOA) is made by and between City of Little Falls ("the city") and the CSEA Local 1000 AFSCME AFL-CIO City of Little Falls Police Unit #7115-01, Herkimer County Local 822 ("CSEA") hereinafter collectively referred to as the "parties".

WHEREAS, the parties are subject to a Collective Bargaining Agreement (CBA), commencing January 1, 2023, and remaining in effect through December 31, 2026.

WHEREAS the parties wish to modify the terms of the agreement that governs Sick Leave, Article VI of the CBA.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the mutual benefits expected to be derived from the performance thereof and other good and valuable consideration the parties agree as follows:

1. Article VI, 6.2 shall read as follows:

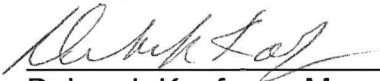
An employee shall be granted sick leave with pay at a rate of one day per month. An employee may accumulate sick leave at the above rate and may be kept to his credit for future sick leave with pay. An employee may transfer a maximum of ten (10) days in a calendar year to another employee, due to an extraordinary circumstance. The employee receiving the days must first exhaust all other accumulated leave.

2. This Memorandum of Agreement constitutes the entire agreement and understanding between the parties on the issue addressed herein and

supersedes all prior agreements or understandings, whether written or oral. The parties acknowledge that no representation, promise, inducement, or statement of intention has been made by any party to this Agreement that is not embodied in this Agreement.

3. The parties herein acknowledge that while resolving this matter, they were fully and fairly represented; that they had the unlimited right and opportunity to propose terms of this Agreement; that they knowingly and voluntarily entered into this Agreement, having read, and fully understood its terms.
4. This Agreement is subject to board approval and will take effect upon the execution of this agreement.

For City:

 Date: 10/15/24
Deborah Kaufman, Mayor

For CSEA:

Vincent Grainer, Unit President

Matthew Spellicy, CSEA Labor Relations

Motion: Alderman Shaffer

Second: Alderman Carpineti

Roll Call: Lyon, Shaffer, Dillon, Masi, Ruffing, Carter, Carpineti

Absent: Marhaver

Mayor Comments:

Treasurer Notes:

Cash position

Today \$1,027,886.39

Plus \$521,721.37 in our “squirrel away” fund (reserved fund)

Payroll amounts should be lower for the next month as summer kids have ended. We will have a large amount owed in taxes this month from the watershed. (Need to pay \$150K)

Where we stand

Currently around \$72,012.05 sitting at or near 60 days that needs to go and essentials

Total in “received” \$236,423.52---this means sitting in our system waiting to be sent out

By continuing our 60 days payment schedule it has allowed us to maintain our bank accounts at a comfortable level.

We have been setting \$170k aside a month to cover our February Retirement Bill-we have been sending our \$30,000 to the retirement system every month.

August was a big month, owing \$204,682 (till 2035) on the water filtration plant bond and \$109,871.88 on a bridge bond (till 2032)

Getting to the end of the year

We should be expecting our RAN funds of \$866,000 by September 12th.

WE received \$100,565 in Temporary Municipal Assistance funds (additional AIM) 8/21/24

We have been diligently reviewing every project/equipment placed in front of us to try and plan out our borrowings for the remainder of the year into 2025-Fiscal Advisors has been a tremendous help.

We signed with a new insurance broker and will begin discussions on this year's (\$130-\$210K savings) insurance renewals

The EFC UV Bond closed – WE have the UV BAN coming due and we will be

using grant proceeds from the larger UV project to pay it off—one less BAN on our plate.

We should consider doing budget modifications.

Nicole has been working on bank reconciliations to assist me until we can speak more with Bonadio

Home Grant Summary - Five out of the goal of nine homes....this number could go up or down depending on final cost averages.

DRI Improvements:

Tier 1

White Rose Bakery

Ed & Buds (Lock 17)

GiGi

Garin Mahoney

Cathy Chrisman

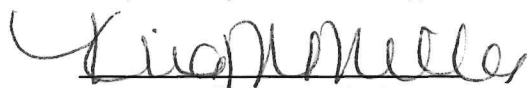
David Herodes – 576 E. Main Street – 580 E. Main Street

Robin Joh Dirienzo – 48-54 W. Main Street Body Science building

Adjournment:

Meeting was adjourned at 7:30p.m. with the motion made by Alderman Shaffer and seconded by Alderman Carpineti with all in favor. Next meeting will be October 1, 2024 at 7:00pm regular session. **Any questions please contact City Clerk.** Thank you

Respectfully Submitted by,


Kira M. Miller, City Clerk

