

OFFICE OF THE COMMON COUNCIL  
CITY HALL – ROME, NEW YORK 13440



**1<sup>ST</sup> WARD**  
Lori A. Trifeletti

**2<sup>ND</sup> WARD**  
John B. Mortise

**3<sup>RD</sup> WARD**  
Kimberly Rogers

**4<sup>TH</sup> WARD**  
Ramona L. Smith

**5<sup>TH</sup> WARD**  
Frank R. Anderson

**6<sup>TH</sup> WARD**  
John A. Nash

**7<sup>TH</sup> WARD**  
Lou DiMarco Jr.

**John J. Mazzaferro**  
President Common Council

**CITY CLERK**  
Louise S. Glasso

**COMMON COUNCIL MEETING**  
**REGULAR SESSION**

**APRIL 22, 2015**  
**7:00PM**

**1. CALLING THE ROLL OF MEMBERS BY THE CLERK**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

**4. GENERAL PUBLIC HEARING**

The time limit for speakers at the general public hearing shall be limited to (5) continuous minutes. The President of the Common Council may extend this time up to an additional five (5) minutes at his discretion; and further extensions must be approved by a majority of the council.

**5. RECOGNITION/APPRECIATION**

**6. READING OF THE MINUTES OF THE PRECEDING SESSION**

(Motion in order that the reading of the minutes of the preceding session be dispensed with and that they be approved.)

**7. PRESENTING OF PETITIONS AND COMMUNICATIONS.**

**A. PETITIONS**

**B. COMMUNICATIONS.**

The following financial reports for quarter ended 3/31/15, are on file in the City Clerk's Office: Capitol Civic Center, Jervis Library and Ava Dorfman Senior Citizen Council.

Police Department's quarterly training report for January 2015 – March 2015 – On file City Clerk

**8. NOTICES**

**9. REPORT OF CITY OFFICIALS**

**10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS**

**11. PRESENTING OF REPORT OF COMMITTEES**

**12. RESOLUTIONS**

**RES. NO. 50**

**B**

**APPOINTING COMMISSIONERS OF DEEDS. Glasso**

**RES. NO. 51**

**D**

**AUTHORIZING THE CITY OF ROME POLICE DEPARTMENT TO PURCHASE A 2012 CHEVROLET IMPALA POLICE CRUISER AT AN AMOUNT NOT TO EXCEED \$10,000. Beach**

**RES. NO. 52**

**E**

**AUTHORIZING THE SUSPENSION OF PARKING FEES APPLICABLE AT THE LIBERTY/GEORGE PARKING GARAGE FOR A SET TIME PERIOD ON APRIL 24, 2015. Rogers**

**RES. NO. 53**

**F**

**AUTHORIZING THE SUSPENSION OF PARKING FEES APPLICABLE AT THE LIBERTY/GEORGE PARKING GARAGE FOR A SET TIME PERIOD ON MAY 29, 2015. Rogers**

**13. ORDINANCES**

**A.**

**%Lacking Unanimous Consent**

**B.**

**Current Legislation**

**ORD. NO. 8998**

**A**

**AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION AGREEMENT WITH A BUYER PERTAINING TO PROPERTY LOCATED AT 104-106 W SOUTH STREET. Domenico**

**ORD. NO. 8999**

**C**

**AUTHORIZING THE MAYOR OF THE CITY OF ROME TO EXECUTE DOCUMENTS NECESSARY TO GRANT AN EASEMENT TO NATIONAL GRID FOR THE INSTALLATION OF A POLE CAMERA AND AERIAL WIRE ON THE CITY'S PROPERTY. Tallarino**

**14. LOCAL LAWS**

**15. TABLED LEGISLATION**

**16. VETOED LEGISLATION**

**17. ADJOURNMENT**

**% Ordinances require unanimous consent to be acted upon when first introduced**

**NEXT SCHEDULED COMMON COUNCIL MEETING ~~ May13, 2015**

RESOLUTION NO. 50

APPOINTING COMMISSIONERS OF DEEDS

By Councilor \_\_\_\_\_:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individuals be and are hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2016:

Cynthia Rogers-Witt            401 E. Garden Street, Rome New York

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

RESOLUTION NO. 51

AUTHORIZING THE CITY OF ROME POLICE DEPARTMENT TO PURCHASE A 2012 CHEVROLET IMPALA POLICE CRUISER AT AN AMOUNT NOT TO EXCEED \$10,000

By Councilor \_\_\_\_\_:

WHEREAS, the City of Rome Police Department has been exploring ways to replace its aging unmarked vehicle fleet for several years; and

WHEREAS, by reutilizing existing equipment and retrofitting it to new vehicles, the department has been able to save approximately \$5,000 in the Police Department's automotive account; and

WHEREAS, an opportunity has presented itself to purchase a 2012 Chevrolet Impala police cruiser with low mileage that has never been placed into police service at an extraordinarily low cost and said vehicle was inspected by the City of Rome mechanics; and

WHEREAS, upon approval of the above referenced purchase, by the Common Council of the City of Rome, New York, a budgetary transfer will be requested at the Board of Estimate and Contract meeting scheduled to be held, April 23, 2014; and

WHEREAS, it is the recommendation of Kevin Beach, Chief of the Rome Police Department that said vehicle purchase be made; now therefore; and

BE IT RESOLVED, by the Common Council of the City of Rome, New York that the 2015 budget be and is hereby amended, by amending the 2015 vehicle inventory to reflect the purchase of 2012 Chevrolet Impala and the removal of one (1) currently owned vehicle; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Rome, that the Mayor is hereby authorized to purchase a 2012 Chevrolet Impala police cruiser at an amount not to exceed \$10,000.00 upon approval of the Board and Estimate and Contract.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

RESOLUTION NO. 52

AUTHORIZING THE SUSPENSION OF PARKING FEES APPLICABLE  
AT THE LIBERTY/GEORGE PARKING GARAGE FOR A SET TIME PERIOD  
ON APRIL 24, 2015.

By Councilor \_\_\_\_\_:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome; and

WHEREAS, it has been recommended that the parking fees applicable to the use of the Liberty/George Parking Garage be temporarily suspended on Friday, April 24, 2015, during the hours of 6:00 p.m. to 10:00 p.m., to permit the free use of said garage by the general public to support an event sponsored by the Capitol Theatre, for a performance by the Glenn Miller Orchestra, to be held at the Capitol Theatre; and

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty/George Parking Garage to permit the free use of said garage by the general public during the aforementioned event to be held at the Capital Theatre; and

BE IT FURTHER RESOLVED, that after 10:00 p.m. on Friday, April 24, 2015, the suspension of fees authorized hereby shall expire and, at said dates and times, all applicable parking fees shall be in full force and effect at the Liberty /George Parking Garage; and

BE IT FURTHER RESOLVED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works and the Capital Theatre.

Seconded By Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_Mortise\_\_\_Rogers\_\_\_Smith\_\_\_Anderson\_\_\_  
Nash \_\_\_ DiMarco\_\_\_\_\_

ADOPTED:

DEFEATED:

RESOLUTION NO. 53

AUTHORIZING THE SUSPENSION OF PARKING FEES APPLICABLE  
AT THE LIBERTY/GEORGE PARKING GARAGE FOR A SET TIME PERIOD  
ON MAY 29, 2015.

By Councilor \_\_\_\_\_:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome; and

WHEREAS, it has been recommended that the parking fees applicable to the use of the Liberty/George Parking Garage be temporarily suspended on Friday, May 29, 2015, during the hours of 6:00 p.m. to 10:00 p.m., to permit the free use of said garage by the general public to support an event sponsored by the Capitol Theatre, for a performance by an Air Force Band, to be held at the Capitol Theatre; and

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty/George Parking Garage to permit the free use of said garage by the general public during the aforementioned event to be held by the Capital Theatre; and

BE IT FURTHER RESOLVED, that after 10:00 p.m. on Friday, May 29, 2015, the suspension of fees authorized hereby shall expire and, at said dates and times, all applicable parking fees shall be in full force and effect at the Liberty /George Parking Garage; and

BE IT FURTHER RESOLVED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works and the Capital Theatre.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_Mortise\_\_\_Rogers\_\_\_Smith\_\_\_Anderson\_\_\_  
Nash \_\_\_DiMarco\_\_\_\_\_

ADOPTED:

DEFEATED:

ORDINANCE NO. 8998

AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION  
AGREEMENT WITH A BUYER PERTAINING TO PROPERTY LOCATED AT  
104-106 W SOUTH STREET

By Councilor \_\_\_\_\_:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids; and

WHEREAS, certain City owned parcels of land are in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately six (6) months from the date said rehabilitation agreement is executed; now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 104-06 W. South Street, Rome, New York, with Gerard McQuinn, for the rehabilitation of said property located at 104-06 W. South Street, Rome, New York, known as Tax Map No. 242.073-0001-005; and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 104-06 W. South Street, Rome, New York, known as Tax Map No. 242.073-0001-005, for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Three Thousand and 00/100 Dollars (\$3,000.00), said conveyance to take place following the contingencies hereinafter set forth; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance; and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement; and



BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale; and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor \_\_\_\_\_.  
By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8998

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8998

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

ORDINANCE NO. 8999

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO EXECUTE DOCUMENTS  
NECESSARY TO GRANT AN EASEMENT TO NATIONAL GRID FOR THE  
INSTALLATION OF A POLE CAMERA AND AERIAL WIRE ON THE CITY'S PROPERTY

By Councilor \_\_\_\_\_:

WHEREAS, Frank Tallarino, Commissioner of the Department of Public Works, for the City of Rome, New York has recommended that the Mayor be authorized to execute any and all documents necessary to grant an easement to National Grid for the installation of a pole and aerial wire, on the City's property, next to National Grid's substation on North Madison Street; and

WHEREAS, such Easement shall enable National Grid to install said pole and aerial wire on the City's property; and

WHEREAS, the City of Rome wishes to grant such an Easement (and/or any other such necessary or appropriate document) to finalize same; now therefore; and

BE IT ORDAINED, by the Common Council of the City of Rome, that the Mayor is hereby authorized to grant an easement, which would enable National grid to install a pole and aerial wire on the City's property next to the substation on North Madison Street, upon such terms and conditions acceptable to the Mayor of the City of Rome in his discretion, and pursuant to the attached "Grant of Easement", which is made part of this Resolution; and

BE IT FURTHER ORDAINED, by the City of Rome Common Council that this Ordinance shall take effect immediately upon approval of this Ordinance.

Seconded by Councilor \_\_\_\_\_.

By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8999

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8999

AYES & NAYS: Trifeletti \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith \_\_\_ Anderson \_\_\_  
Nash \_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

March 24, 2015

Mr. Frank Tallarino, Commissioner of Public Works  
City of Rome  
City Hall  
198 N. Washington Street  
Rome, NY 13440

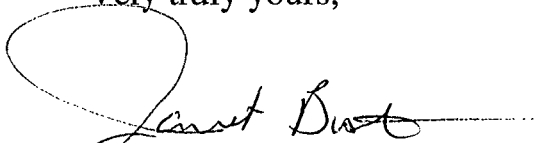
Dear Mr. Tallarino:

Please find enclosed an easement which would enable National Grid to install a pole and aerial wire on the City's property next to our substation on North Madison Street.

Please return the fully executed document at your earliest convenience. Your cooperation in this matter is greatly appreciated.

If you have any questions, please do not hesitate to call me at 315-798-1934.

Very truly yours,



Janet Bostic  
Right-of-Way Agent

Enclosure

## GRANT OF EASEMENT

**CITY OF ROME** of 198 North Washington Street, Rome, New York 13440 (hereinafter referred to as "Grantor"), for consideration of One Dollar (\$1.00), and other valuable considerations paid, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to **NIAGARA MOHAWK POWER CORPORATION**, a New York corporation, having an address at 300 Erie Boulevard West, Syracuse, New York 13202 (hereinafter referred to as "Grantee"), for Grantee and its lessees, licensees, successors, and assigns, the perpetual right and easement as described in Section 1 below (the "Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below (the "Grantor's Land").

**Section 1 – Description of the Easement.** The "Easement" granted by the Grantor to the Grantee consists of a perpetual easement and right-of-way, with the right, privilege, and authority to:

a. Construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at its pleasure, remove any poles or lines of poles, supporting structures, cables, crossarms, overhead and underground wires, guys, guy stubs, insulators, transformers, braces, fittings, foundations, anchors, lateral service lines, communications facilities, and other fixtures and appurtenances (collectively, the "Facilities"), which the Grantee shall require now and from time to time, for the transmission and distribution of high and low voltage electric current and for the transmission of intelligence and communication purposes, by any means, whether now existing or hereafter devised, for public or private use, in, upon, over, under, and across that portion of the Grantor's Land described in Section 3 below (the "Easement Area"), and the highways abutting or running through the Grantor's Land, and to renew, replace, add to, and otherwise change the Facilities and each and every part thereof and the location thereof within the Easement Area, and utilize the Facilities within the Easement Area for the purpose of providing service to the Grantor and others;

b. From time to time, without further payment therefore, clear and keep cleared, by physical, chemical, or other means, the Easement Area of any and all trees, vegetation, aboveground or belowground structures, improvements, or other obstructions and trim and/or remove other trees and vegetation adjacent to the Easement Area that, in the opinion of the Grantee, may interfere with the construction, operation, and maintenance of the Facilities. The first clearing may be for less than the full width and may be widened from time to time to the full width;

c. Excavate or change the grade of the Grantor's Land as is reasonable, necessary, and proper for any and all purposes described in this Section 1; provided, however, that the Grantee will, upon completion of its work, backfill and restore any excavated areas to reasonably the same condition as existed prior to such excavation; and

d. Pass and repass along the Easement Area to and from the adjoining lands and pass and repass over, across, and upon the Grantor's Land to and from the Easement Area, and construct, reconstruct, relocate, use, and maintain such footbridges, causeways, and ways of access, if any, thereon, as is reasonable and necessary in order to exercise to the fullest extent the Easement.

**Section 2 – Description of Grantor's Land.** The "Grantor's Land" is described in a certain Deed recorded in the Oneida County Clerk's Office on 09/18/1871, in Liber 316 of Deeds at Page 92, and consists of land described as being part of Tax Parcel No. 224.005-0001-021 of the City of Rome, County of Oneida, State of New York, located on the northerly side of North Madison Street.

**Section 3 – Location of the Easement Area.** The "Easement Area" shall consist of a portion of the Grantor's Land 20 feet in width throughout its extent, the centerline of the Easement Area being the centerline of the Facilities. The general location of the Easement Area is shown on the sketch entitled "18-15-18757738", which sketch is attached hereto as Exhibit A and recorded herewith, copies of which are in the possession of the Grantor and the Grantees. The final and definitive location(s) of the Easement Area shall become established by and upon the final installation and erection of the Facilities by the Grantees in substantial compliance with Exhibit A hereto.

**Section 4 – Facilities Ownership.** It is agreed that the Facilities shall remain the property of the Grantee, its successors and assigns.

**Section 5 – General Provisions.** The Grantor, for itself, its heirs, legal representatives, successors, and assigns, hereby covenants and agrees with the Grantee that no act will be permitted within the Easement Area which is inconsistent with the Easement hereby granted; no buildings or structures, or replacements thereof or additions thereto, swimming pools, or obstructions will be erected or constructed above or below grade within the Easement Area; no trees shall be grown, cultivated, or harvested, and no excavating, mining, or blasting shall be undertaken within the Easement Area without the prior written consent of the Grantee; the Easement shall not be modified nor the Easement Area relocated by the Grantor without the

Grantee's prior written consent; the present grade or ground level of the Easement Area will not be changed by excavation or filling; the Grantee shall quietly enjoy the Grantor's Land; and the Grantor will forever warrant title to the Grantor's Land.

The Grantee, its successors and assigns, are hereby expressly given and granted the right to assign this Easement, or any part thereof, or interest therein, and the same shall be divisible between or among two or more owners, as to any right or rights created hereunder, so that each assignee or owner shall have the full right, privilege, and authority herein granted, to be owned and enjoyed either in common or severally. This Grant of Easement shall at all times be deemed to be and shall be a continuing covenant running with the Grantor's Land and shall inure to and be binding upon the successors, heirs, legal representatives, and assigns of the parties named in this Grant of Easement.

IN WITNESS WHEREOF, the undersigned has hereunto set his/her hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF ROME**

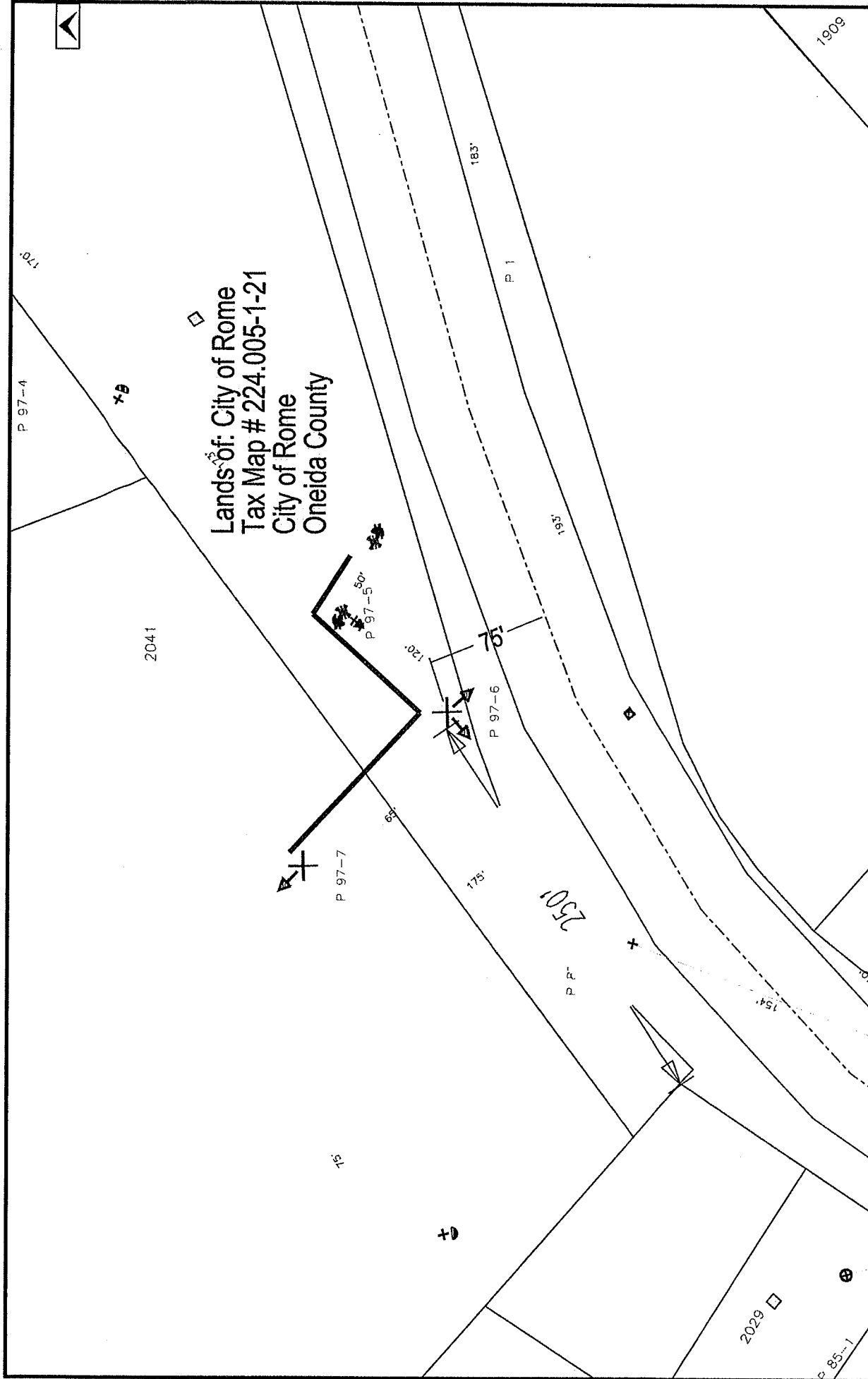
By: \_\_\_\_\_ (L.S.)  
(official's signature)

Its: \_\_\_\_\_  
(print individual's name & title)

State of New York                    )  
  )  
County of \_\_\_\_\_ )            ss:

On the \_\_\_ day of \_\_\_\_\_ in the year 2015, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public



<p><b>EASEMENT #:</b></p> <p>DESIGNER: Potter, Matthew G.          DATE:          WORK ORDER #: 18-15-18757738</p>	<p><b>EASEMENT SKETCH - EXHIBIT A</b></p> <p>DEVELOPMENT NAME and LOCATION          City of Rome          Tax Map # 224.005-1-21          C/Rome, Oneida County</p>	<p><b>NOT TO SCALE</b></p> <p>nationalgrid</p>
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