

# ROME

*the copper city*

**OFFICE OF THE COMMON COUNCIL**  
CITY HALL • ROME, NEW YORK 13440-5815

**Stephanie Viscelli**  
Common Council President

**Cam T. Tien**  
1<sup>st</sup> Ward

**John B. Mortise**  
2<sup>nd</sup> Ward

**Kimberly Rogers**  
3<sup>rd</sup> Ward

**Ramona L. Smith**  
4<sup>th</sup> Ward

**Frank R. Anderson**  
5<sup>th</sup> Ward

**Riccardo D. Dursi, Jr.**  
6<sup>th</sup> Ward

**A. Robert Tracy**  
7<sup>th</sup> Ward

**Jean I. Grande**  
City Clerk

## **COMMON COUNCIL MEETING** **Regular Session**

**OCTOBER 10, 2018**  
**7:00 p.m.**

### **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 five (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**

- Audit Report and Management Letter from D’Arcangelo & Co., LLP for the year ended 12/31/17 has been received and filed in the City Clerk’s Office.
- The Dept. of Public Works Report of Conferences, Training and Travel for quarter ended 9/30/18 is on file in the City Clerk’s Office.
- The Rome Police Dept. Training Report for quarter ended 9/30/18 is on file in the City Clerk’s Office.

### **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. 121**

AUTHORIZING AN APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW FOR THE CITY OF ROME, NEW YORK. **Surace**

**RES. NO. 122** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE FIRST PRESBYTERIAN CHURCH FOR THE USE OF PARKING LOT(S) AT THE JUSTICE BUILDING RELATIVE TO EMPLOYEE PARKING REQUIREMENTS. **Conover**

**RES. NO. 123** AUTHORIZING THE MAYOR OF THE CITY OF ROME TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN EASTERN AIR DEFENSE SECTOR AND CITY OF ROME POLICE DEPARTMENT. **Beach**

**RES. NO. 124** ACCEPTING DONATION PRESENTED TO THE CITY OF ROME (\$2,000.00) TO BE USED FOR THE EXPENSES RELATED TO LOCKTOBERFEST. **Andrews**

### **13. ORDINANCES**

**ORD. NO. 9308** AUTHORIZING THE CLOSING OF A PORTION OF N. WASHINGTON STREET (ONE WAY) ALONG CITY HALL GREEN ON OCTOBER 26TH FOR FOOD TRUCK VENDORS IN CONJUNCTION WITH THE HALLOWEEN EVENT ON THE GRIFFO GREEN. **Rogers**

### **14. TABLED LEGISLATION**

**ORD. NO. 9302** APPROVING THE ANNUAL BUDGET FOR THE YEAR 2019. **Mayor Izzo, Nolan**

### **15. ADJOURNMENT**

**THE NEXT COMMON COUNCIL MEETING IS SCHEDULED FOR OCTOBER 24, 2018.**

**RESOLUTION NO. 121**

**AUTHORIZING AN APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW  
FOR THE CITY OF ROME, NEW YORK.**

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

WHEREAS, City Assessor Joseph J. Surace, Jr., has recommended the re-appointment of Stephan Granacki, for a term of October 1, 2018 through September 30, 2023, to the Board of Assessment Review for the above referenced five-year term; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, pursuant to New York State Real Property Tax Law Section 523, that the following individual be and is hereby appointed to the Board of Assessment Review for the City of Rome, New York:

Stephan Granacki, 105 Bayberry Court, Rome, New York  
Term: October 1, 2018 to September 30, 2023.

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

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

ADOPTED \_\_\_

DEFEATED \_\_\_

**RESOLUTION NO. 122**

**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT  
WITH THE FIRST PRESBYTERIAN CHURCH FOR THE USE OF PARKING LOT(S)  
AT THE JUSTICE BUILDING RELATIVE TO EMPLOYEE PARKING REQUIREMENTS.**

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

WHEREAS, for the past several years the City of Rome, New York, has been authorized to and entered into agreements with the First Presbyterian Church of Rome, New York, for the use of parking lot(s) relative to employee parking requirements at the Justice Building; and

WHEREAS, Butch Conover, Commissioner of Public Works for the City of Rome, New York, has recommended that the City of Rome again enter into an agreement with the First Presbyterian Church for the use of parking lot(s) relative to employee parking requirements at the Justice Building; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an agreement with the First Presbyterian Church for the use of parking lot(s) relative to employee parking requirements at the Justice Building, under the same terms and conditions as previously authorized, beginning retroactive to October 1, 2018 through September 30, 2019, including the arrangement between the City and the First Presbyterian Church for snowplowing, whereby the City of Rome will pay for plowing up to \$2,500.00, with the First Presbyterian Church covering the plowing costs from \$2,500.00 to \$3,500.00, followed by the City of Rome and the First Presbyterian Church splitting the cost of any plowing over \$3,500.00, with the further restriction that the first row (most easterly) parking spots in the Huntington Street lot closest to James Street to be reserved for Church use only.

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

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

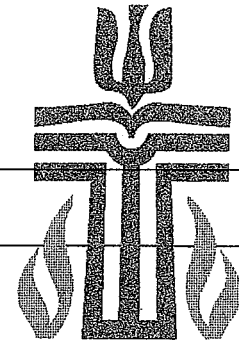
ADOPTED \_\_\_

DEFEATED \_\_\_

**FIRST PRESBYTERIAN CHURCH**  
**108 West Court St. · Rome, NY 13440**

*Phone: (315) 336-1380*

*www.firstpresrome.com · firstpresrome@gmail.com*



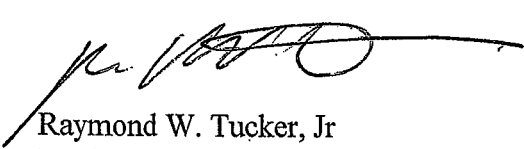
Department of Public Works  
City of Rome  
Attn: Commissioner Butch Conover  
198 N Washington St  
Rome, NY 13440

Dear Commissioner,

The First Presbyterian Church would like to renew our annual agreement with the City for use of our parking lots to support activities at the Justice building, cover our liability for such use and share snow-removal costs as we have in years past. We believe that this sharing of cost to clear our parking lots is fair compensation as the Police Department and the City Court use our parking lots each weekday. We believe this agreement runs from Oct 1<sup>st</sup> to Sept 30<sup>th</sup> each year.

We appreciate the way the police and court are cooperative and adapt to days when we have funerals or other special events during weekdays. Thank you for working with us on day to day needs as well as the inevitable work of moving snow when winter comes.

Thank you. We look forward to hearing from you.



Raymond W. Tucker, Jr  
President, Board of Trustees

cc: Sam Pendergrast, Pastor

**RESOLUTION NO. 123**

**AUTHORIZING THE MAYOR OF THE CITY OF ROME  
TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN  
EASTERN AIR DEFENSE SECTOR AND CITY OF ROME POLICE DEPARTMENT.**

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

WHEREAS, Kevin Beach, Chief of the City of Rome Police Department, has recommended that the City of Rome, New York, enter into a Memorandum of Understanding with Eastern Air Defense Sector, pursuant to the terms described in the attached "Memorandum of Understanding", which is made part of this Resolution; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, that the Mayor of the City of Rome is hereby authorized to enter into a Memorandum of Understanding with Eastern Air Defense Sector, pursuant to the terms described in the attached "Memorandum of Understanding", which is made part of this Resolution, for a period of one year, effective upon execution of the parties.

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

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

ADOPTED \_\_\_

DEFEATED \_\_\_

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
EASTERN AIR DEFENSE SECTOR/224<sup>th</sup> AIR DEFENSE GROUP  
AND  
CITY OF ROME POLICE DEPARTMENT

1. The purpose of this Memorandum of Understanding (MOU) is to reaffirm the working relationship between the 224<sup>th</sup> Air Defense Group (224 ADG) and the City of Rome Police Department. As New York Air National Guard members, the Security Forces are organized under the 224<sup>th</sup> Air Defense Group (224 ADG) supporting the Eastern Air Defense Sector mission (EADS). The mission of EADS is to counter all air threats to EADS assigned Area of Operations through vigilant detection, rapid warning, and precise tactical control of NORAD/USNORTHCOM forces. The 224<sup>th</sup> Air Defense Group is comprised of two squadrons; The 224<sup>th</sup> Support Squadron (SS) and the 224<sup>th</sup> Air Defense Squadron (ADS). The Security Forces fall under the 224<sup>th</sup> Support Squadron (224 SS/SF)
2. The 224 ADG is located on a Federal installation on the former Griffiss Air Force Base at 366 Otis Street, Rome, New York 13441. As a Federal Installation, all military and federal police agencies have jurisdiction to enforce federal and military law on the installation. The installation is surrounded by fencing and is posted. All entry and exit points are controlled twenty-four hours a day, seven days a week, by the 224 SS/SF (U.S. Air Force Security Forces) personnel.
3. Most of the former Griffiss Air Force Base, now known as the Griffiss Business and Technology Park, is within the corporate limits of the City of Rome and is under the jurisdiction of the City Rome Police Department. The lands immediately beyond the security fencing of 224 ADG are within the jurisdiction and protection of the City of Rome Police Department.
4. The 224 SS/SF are trained and tasked with protecting military and civilian members and the structures and equipment located on the installation.
5. When 224 ADG personnel are in a Title 10 status (acting as a part of the active duty Air Force), the 224 SS/SF have broad authority to protect military and civilian members as well as protect the structures and equipment located on the base, and to use the force necessary to accomplish the mission, under federal and military law.
6. When 224 ADG personnel are in Title 32 status (acting as part of the New York Air National Guard), the 224 SS/SF are operating as members of the New York State Military and are governed by the laws of the State of New York. The 224 SS/SF are not peace officers under the laws of the State of New York but instead Military Police.
7. When in a State status, 224 ADG will rely upon the City of Rome Police Department to provide law enforcement support to the 224 SS/SF, when requested by the 224 ADG Commander, to protect military and civilian members, and structures and equipment, and to use force, and lethal force, as authorized under New York State law.

8. The parties to this MOU acknowledge the special relationship that exists between 224 ADG and the City of Rome Police Department when 224 ADG personnel are in State status.

9. The 224 SS/SF are expected to resolve threat situations on their property where they have proprietary jurisdiction. The properties of 224 ADG is not located within a closed U.S. military installation and are located on a business technology park which is open to both pedestrian and vehicle traffic. The 224 SS/SF may establish a Base Security Zone (BSZ) and respond to neutralize threats directed against their mission. The BSZ is required by Instruction (AFI 31-101) to provide standoff capabilities from hostile threats against the 224 ADG mission. Situations may occur on or near the property of the 224 ADG where the City of Rome Police Department's assistance may be required. **Civilian personnel detained by the 224 SS/SF will be released to the City of Rome Police Department for further processing.** Upon the request of the 224 ADG Commander, the City of Rome Police Department agrees to provide the following police enforcement activities with a response determined during initial request and if available:

**9.1 Active Shooter Response:** One or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. The overriding objective of one or more subjects appears to be that of mass murder, rather than other criminal conduct such as robbery, hostage taking, etc. It also includes anyone who uses any other deadly weapon to systematically or randomly inflict death or serious bodily harm on 224 ADG personnel over a continuous or extended period of time.

**9.2 Hostage Situation:** The holding of any person against their will by an armed or potentially armed suspect(s).

**9.3 Barricaded Suspect Situation:** The standoff created by an armed or potentially armed suspect(s) in any location, whether fortified or not, who is refusing to comply with police requests to surrender.

**9.4 Suspicious/Criminal Activity:** Person(s) conducting suspicious/criminal activity in or around the property of the 224 ADG such as surveillance, theft, or destruction of New York Air National Guard and United States Air Force's property.

**9.5 Arrest Warrant:** Any person(s) discovered by the 224 SS/SF, to have an outstanding arrest warrant and/or wanted by the U.S. Justice Department and/or any Federal, State, or local law enforcement agency for questioning.

**9.6 Special Personal Protection:** The security of specific persons, such as visiting dignitaries, witnesses, or suspects, based upon the threat or potential threat to the well-being of these individuals.

**9.7 K-9 Support:** The response from the City of Rome Police Department K-9 may be required for the detection of explosives, narcotics, suspects, or witnesses on the property of the 224 ADG.



**9.8 Non Traditional Air Threat (NTAT) Support:** The response from the City of Rome Police Department may be required for assisting in the identification of a pilot/operator of an UAS (Unmanned Aerial System) that could potentially be a NTAT (Non Traditional Air Threat) that is being operated above, on, or near the property of the 224 ADG. Further assistance from City of Rome Police Department may also be required in conducting a field interview of the pilot/operator and identifying (through FAA written guidance) the type of aircraft being flown, if aerial surveillance was conducted and recorded, and if the aircraft is a potential threat and/or violated 18 USC 795.

9.9 The Chief of Police for the City of Rome Police Department, shall, in his/her sole discretion or that of his/her designee(s), determine the City of Rome Police Department availability to respond to a request by the 224 ADG, which said decision of whether or not to respond shall be based on, among other things, the City of Rome Police Department's resources and priorities. By entering this MOU, the City of Rome Police Department shall undertake all reasonable efforts to comply with a request from the 224 ADG; however, this MOU does not establish any heightened priority, special duty, or preferences from the City of Rome Police Department to the 224 ADG.

10. The 224 SS/SF will:

10.1. With the approval of the 224 ADG Defense Force Commander or the 224 Security Forces Manager or his/her representative, notify the City of Rome Police Department and request civilian police response.

10.2. Advise the City of Rome Police Department or the Oneida County 911 Emergency Dispatcher of where civilian response forces are needed to respond with a name and/or a radio call sign for a point of contact for the 224 ADG.

10.3. Provide the City of Rome Police Department DOMOPS (Domestic Operations Support) through operations, training and resources.

10.4. Provide assistance in acquiring training sites within the Griffiss Technology Park including sites under the control of Oneida County.

10.5. Provide the use of the 224 SS/SF F.A.T.S. Room (Firearms Training Simulator). Provide logistical, instructor, and range support in the use of UTM (Ultimate Training Munitions) and/or FX marking cartridges products for training for law enforcement personnel to include City of Rome Police Department Academy cadets.

10.6. Provide operation support to the City of Rome Police Department's Special Response Team by providing staging area support in 224 ADG facilities

10.7. Provide the use of the 224 SS/SF's night vision and thermal imagery devices to affect the arrest of wanted felon/suspect, the search for a missing person(s) and/or conducting surveillance in law enforcement operations.

11. The 224 ADG and the City of Rome Police Department are both responsible for the actions of its members. This MOU does not change such status or obligation.

12. This Memorandum of Understanding shall be effective when signed by the 224<sup>th</sup> Air Defense Group Commander and the Mayor of the City of Rome; the Rome City Public Safety Commissioner, and the Chief of the City of Rome Police Department. This agreement to provide law enforcement support may be modified at any time by the consent of the parties or terminated upon thirty (30) days written notice.

### **ACRONYMS**

ADG - Air Defense Group

ADS - Air Defense Squadron

AFI - Air Force Instruction

BSZ - Base Security Zone

DOMOPS - Domestic Operations

224 ADG - Eastern Air Defense Sector

FATS - Firearms Training Simulator

MOU - Memorandum of Understanding

NTAT - Non Traditional Air Threat

NORAD - North American Aerospace Defense Command

SF - Security Forces

SS - Support Squadron

UAS - Unmanned Aerial System

USNORTHCOM - United States Northern Command

UTM - Ultimate Training Munitions

PAUL J. QUIGLEY, Colonel, NYANG  
Commander, 224th Air Defense Group

Date:

FRANK J. RETROSI, Commissioner  
City of Rome Public Safety Department

Date:

KEVIN C. BEACH, Chief of Police  
City of Rome Police Department

Date:

JACQUELINE M. IZZO, Mayor  
City of Rome, New York

Date:

**RESOLUTION NO. 124**

**ACCEPTING DONATION PRESENTED TO THE CITY OF ROME (\$2,000.00)  
TO BE USED FOR THE EXPENSES RELATED TO LOCKTOBERFEST.**

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

WHEREAS, NYS Canal Corporation has contacted the City of Rome Department of Community and Economic Development with an offer to donate \$2,000.00 to be used for the expenses related to Locktoberfest; and

WHEREAS, pursuant to Section 25 of the Rome City Charter, the City of Rome Common Council may authorize the acceptance of donations made to the City of Rome on behalf of the City of Rome; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the donation of \$2,000.00 to be used for the expenses related to Locktoberfest, shall be gratefully accepted by the City of Rome; and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to the NYS Canal Corporation.

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

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

ADOPTED \_\_\_

DEFEATED \_\_\_

**ORDINANCE NO. 9308**

**AUTHORIZING THE CLOSING OF A PORTION OF N. WASHINGTON STREET (ONE WAY)  
ALONG CITY HALL GREEN ON OCTOBER 26<sup>TH</sup> FOR FOOD TRUCK VENDORS IN  
CONJUNCTION WITH THE HALLOWEEN EVENT ON THE GRIFFO GREEN.**

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

WHEREAS, Matthew Andrews, Deputy Director of the Department of Community and Economic Development for the City of Rome, New York has requested the closing of N. Washington Street (one way) along City Hall green, for food truck vendors in conjunction with the Halloween event on the Griffio Green, from 4:00 p.m. to 9:00 p.m. on October 26, 2018; now, therefore

BE IT ORDAINED, that the Common Council of the City of Rome, New York, does hereby authorize the closing of N. Washington Street (one way) along City Hall green, for food truck vendors in conjunction with the Halloween event on the Griffio Green, from 4:00 p.m. to 9:00 p.m. on October 26, 2018; and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

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. 9308.

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

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

ORDINANCE NO. 9308

AYES & NAYS: Tien \_\_\_ Mortise \_\_\_ Rogers \_\_\_ Smith\_\_\_ Anderson\_\_\_ Dursi \_\_\_ Tracy \_\_\_

ADOPTED \_\_\_

DEFEATED \_\_\_