

John M. Sparace
1st Ward

John B. Mortise
2nd Ward

Kimberly Rogers
3rd Ward

Ramona L. Smith
4th Ward



Frank R. Anderson
5th Ward

Riccardo D. Dursi, Jr.
6th Ward

A. Robert Tracy
7th Ward

Jean I. Grande
City Clerk

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

Stephanie Viscelli
Common Council President

AS OPERATING IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER 202.1, AND DUE TO THE CLOSURE OF ROME CITY HALL TO THE PUBLIC, THE COMMON COUNCIL MEETING WILL BE CONDUCTED REMOTELY VIA WEBEX AUDIO STREAM VIA TELEPHONE CALL-IN NUMBER **1-408-418-9388**, ACCESS CODE **713 848 980 #**. ALL MEMBERS OF THE PUBLIC THAT WISH TO COMMENT ON A PARTICULAR AGENDA ITEM SHOULD DO SO IN WRITING TO JGRANDE@ROMECITYGOV.COM NO LATER THAN 24 HOURS PRIOR TO THE MEETING. ALL COMMENTS RECEIVED WILL BE READ INTO THE PUBLIC RECORD DURING THE PUBLIC COMMENT PORTION OF THE MEETING.

**COMMON COUNCIL MEETING
REGULAR SESSION**

**MARCH 25, 2020
7:00 P.M.**

- 1. CALL THE ROLL OF MEMBERS BY THE CLERK.**
- 2. PLEDGE OF ALLEGIANCE.**
- 3. INVOCATION.**
- 4. GENERAL PUBLIC HEARING.**
 - Are there any written public comments?
- 5. RECOGNITION/APPRECIATION.**
- 6. READING OF MINUTES OF 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.**
 - Scotty's Hot Dogs, Inc. of 6700 Martin St. has notified the City Clerk's Office of their intention to renew their liquor license.
- 8. NOTICES.**
- 9. REPORTS OF CITY OFFICIALS.**
- 10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS.**
- 11. PRESENTATION OF REPORTS OF COMMITTEES.**

12. RESOLUTIONS.

- RES. NO. 45** ACCEPTING A DONATION PRESENTED TO THE CITY OF ROME POLICE DEPARTMENT. **Beach**
- RES. NO. 46** ACCEPTING DONATIONS PRESENTED TO THE CITY OF ROME TO BE USED FOR PRIZES FOR COMMUNITY EVENTS (\$448.95). **Andrews**
- RES. NO. 47** AUTHORIZING THE CITY OF ROME TO CHANGE THE NAMING CONVENTION FOR THE WATER POLLUTION CONTROL FACILITY TO WATER RESOURCE RECOVERY PLANT. **Conover**
- RES. NO. 48** AUTHORIZING THE STANDARDIZATION OF USE OF NETZSCH PUMPS FOR THE TRANSFERS OF SLUDGE IN PRIMARY AND SECONDARY DIGESTERS AT THE WATER POLLUTION CONTROL FACILITY. **Conover**
- RES. NO. 49** RESOLUTION REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS. **Rogers, Sparace**

13. ORDINANCES.

14. LOCAL LAWS.

15. TABLED LEGISLATION.

16. VETOED LEGISLATION.

17. ADJOURNMENT.

THE NEXT SCHEDULED COMMON COUNCIL MEETING IS APRIL 8, 2020.

RESOLUTION NO. 45

**ACCEPTING A DONATION PRESENTED TO
THE CITY OF ROME POLICE DEPARTMENT.**

By Councilor _____:

WHEREAS, Oneida County has contacted the City of Rome with a generous donation in the amount of \$3,341.89 to be used by the City at the Rome Police Department for the refurbishing of interview rooms; and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome; now, therefore,

BE IT RESOLVED, that the Common Council hereby gratefully accepts and expresses its appreciation to the County of Oneida for their generous donation of \$3,341.89 to be used by the City at the Rome Police Department for the refurbishing of interview rooms.

Seconded by Councilor _____.

AYES & NAYS: Sparace __ Mortise __ Rogers __ Smith__ Anderson__ Dursi __ Tracy __

ADOPTED ____

DEFEATED ____

RESOLUTION NO. 46

**ACCEPTING DONATIONS PRESENTED TO THE CITY OF ROME
TO BE USED FOR PRIZES FOR COMMUNITY EVENTS (\$448.95).**

By Councilor _____:

WHEREAS, the following organizations have contacted the City of Rome Department of Community and Economic Development with donations to be used for prizes for community events: Edible Arrangement; Engelberts; Full Lotus Yoga; Capital Arts Complex; Copper Easel; Copper City Brewing Company; Brenda’s Natural Foods; Bostwick’s Liquor; Gary’s Music; Zensations; Copperccinos and the Rome Art Association; and

WHEREAS, the total value of the above referenced donations is \$448.95, and will be used for prizes for City of Rome community events; 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; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the above referenced donations shall be gratefully accepted by the City of Rome to be used for various community events; and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Edible Arrangement; Engelberts; Full Lotus Yoga; Capital Arts Complex; Copper Easel; Copper City Brewing Company; Brenda’s Natural Foods; Bostwick’s Liquor; Gary’s Music; Zensations; Copperccinos and the Rome Art Association for their donations.

Seconded by Councilor _____.

AYES & NAYS: Sparace __ Mortise __ Rogers __ Smith__ Anderson__ Dursi __ Tracy __

ADOPTED __

DEFEATED __

RESOLUTION NO. 47

**AUTHORIZING THE CITY OF ROME TO CHANGE THE NAMING
CONVENTION FOR THE WATER POLLUTION CONTROL FACILITY
TO WATER RESOURCE RECOVERY PLANT.**

By Councilor _____:

BE IT RESOLVED, by the Common Council of the City of Rome, New York that the City of Rome hereby authorizes a change to the naming convention for the Water Pollution Control Facility, located at 7180 East Dominick Street to the "Water Resource Recovery Facility" so as to better reflect the current upgrades to the plant.

Seconded by Councilor _____.

AYES & NAYS: Sparace ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ADOPTED ___

DEFEATED ___

RESOLUTION NO. 48

**AUTHORIZING THE STANDARDIZATION OF USE OF NETZSCH PUMPS
FOR THE TRANSFERS OF SLUDGE IN PRIMARY AND SECONDARY DIGESTERS
AT THE WATER POLLUTION CONTROL FACILITY.**

By Councilor _____:

WHEREAS, General Municipal Law (“GML”), §103, requires that certain purchases of equipment, of more than \$20,000.00, shall be subject to the bidding procedure set forth under GML, §103, which requires that the City of Rome contract with the lowest responsible bidder for the purchase of said equipment; and

WHEREAS, generally speaking, GML, §103 requires the City to contract with the “lowest responsible bidder”, the determination of which involves consideration of many factors, but generally does not permit the City to distinguish between brands or types of products without the express authorization of the Common Council; and

WHEREAS, pursuant to GML, §103(5), the Common Council may, by a vote of at least three-fifths of all the members of the Common Council, identify the need for standardization of certain equipment, on the basis of efficiency or economy, and, upon adoption of said resolution, the City may solicit bids for the standardized equipment and award same to the lowest responsible bidder; and

WHEREAS, the City of Rome is in need of replacing the outdated sludge withdrawal pump in the secondary digester basement at the Water Pollution Control Facility, it is in the City’s best interests to standardize said equipment based on the fact that the City currently has a similar pump and parts and equipment that can be utilized for said brand and City personnel are familiar with said equipment for maintenance purposes, as more fully set forth in the correspondence to Butch Conover, Commissioner of Public Works, dated February 27, 2020, which is attached hereto and made a part hereof by this reference; and

WHEREAS, it is the opinion of Butch Conover, Commissioner of Public Works, that the City identify Netzch Pumps for the transfer of sludge in primary and secondary digesters at the Water Pollution Control Facility as the standard equipment to be used by the City of Rome and that pumps manufactured by said companies be purchased from the lowest responsible bidder(s) in accordance with GML, §103; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that, pursuant to General Municipal Law, §103(5), it is in the best interests of the City of Rome, New York, to standardize the Netzch Pumps for purposes of future bids associated with said equipment, on the basis of *inter alia*: cost savings for maintenance and parts associated with said equipment on the basis that the City currently maintains and uses pumps by said companies currently; and the fact that City personnel have a familiarity with said manufactures for purposes of maintaining said equipment, which said reasons provide the City with efficiency and reduces costs and, therefore, is in the City's best interests; and

BE IT FURTHER RESOLVED, that any bid advertised by the City of Rome for pumps may identify and require the responding party to provide Netzch pumps, and that the applicable purchase(s) shall be made from the lowest responsible bidder providing said brands and meeting all other bidding requirements or specifications, as determined by the Board of Estimate & Contract.

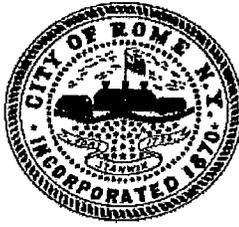
Seconded by Councilor _____.

AYES & NAYS: Sparace __ Mortise __ Rogers __ Smith__ Anderson__ Dursi __ Tracy __

ADOPTED ____

DEFEATED ____

Jacqueline M. Izzo
Mayor



Richard Kenealy
Chief Operator
Phil Impicciatore
Working Supervisor

CITY OF ROME
WATER POLLUTION CONTROL FACILITY
7180 E. Dominick St.
Rome, New York 13440-5815
Telephone: (315) 339-7775 Fax: (315) 339-7828
www.romenewyork.com

MEMORANDUM

DATE: February 27, 2020

TO: Butch Conover
DPW Commissioner

FROM: Rick Kenealy
Chief Operator

RE: Standardization Legislation

During the design and bid process of our Solids Handling Upgrade, the need to replace our sludge withdrawal pump in the primary digester was identified, and subsequently the contractor received and the accepted bid for a Netzsch pump. This pump transfers the sludge from the primary digester to the new belt presses and is the only pump for that process. We have had great success so far with this pump.

As part of the new project, the Anaerobic Digester Complex upgrade, we need to replace the outdated sludge withdrawal pump in the secondary digester basement. The secondary digester will be converted into another primary digester and the pump that needs replacing will be the only pump to transfer sludge from the new primary digester to the new belt presses.

We are requesting to complete Standardization Legislation for the above referenced pump for our digesters. Having the same pump in both digesters will not only provide back up and redundancy, but also allow us to continue processing solids from either digester with the same style pump. Another important factor is the cost of spare parts that we will need on hand. The cost to have one set of spare parts is over \$19,000.00. If we were to get a different pump for Primary Digester 2, we would need a whole different set of spare parts in storage, and that is a lot of money for parts on a shelf.

One last reason to standardize this equipment is the familiarity our maintenance staff will have to be able to work on them and our operations staff to operate them. This digester complex will become a key area of our facility and anything we can do to lessen down time and keep solids moving through the digesters will be of the utmost importance.

Attached is a copy of the list and pricing of the spare parts.

GP JAGER, INC.
 PO BOX 50
 BOONTON, NJ 07005
 USA

Voice: 973-750-1180
 Fax: 973-750-1181

GP Jager Inc.

QUOTATION

Quote Number: 26209-101819
 Quote Date: Oct 18, 2019
 Page: 1
 Lead time: 4-6 WEEKS

Drop Shipment

| Bill To: |
|--|
| CITY OF ROME WATER POLLUTION CONTROL 7180 LOWER E DOMINICK ST ROME, NY 13440 |

| Ship To: |
|--|
| CITY OF ROME WATER POLLUTION CONTROL 7180-LOWER E DOMINICK ST ROME, NY 13440 pImpicciatore@romecitygov.com PHIL IMPICCIATORE |

| Customer ID | Good Thru | Payment Terms | Manufacturer |
|-------------|-----------|---------------|--------------|
| 26209 | 11/17/19 | Net 30 Days | NETZSCH |

| Qty | Item | Description | Unit Price | Amount | Project # |
|--|---------|------------------|------------|----------|-----------|
| 1.00 | 4762488 | STATOR | 4,328.00 | 4,328.00 | |
| 2.00 | 677283 | GEAR JOINT | 1,836.00 | 3,672.00 | |
| 2.00 | 881480 | SAFETY SLEEVE SM | 984.00 | 1,968.00 | |
| 2.00 | 516180 | O-RING | 20.00 | 40.00 | |
| 2.00 | 516042 | O-RING | 37.00 | 74.00 | |
| 1.00 | 690105 | O-RING | 66.00 | 66.00 | |
| 2.00 | 955453 | JOINT SEAL K-SM | 322.00 | 644.00 | |
| 2.00 | 516043 | O-RING | 28.00 | 56.00 | |
| 2.00 | 8006995 | GASKET | 89.00 | 178.00 | |
| 1.00 | 4825971 | GASKET | 69.00 | 69.00 | |
| 1.00 | 4963039 | ROTOR | 8,093.00 | 8,093.00 | |
| PARTS ARE FOR NETZSCH PUMP MODEL NM105BY02S14K2 B168333 QUOTED BY: ZUZANNA STOLC/DAVE BOSHART | | | | | |

| | |
|--------------|------------------|
| Subtotal | 19,188.00 |
| Freight | 450.00 |
| TOTAL | 19,638.00 |

RESOLUTION NO. 49

**RESOLUTION REQUESTING AMENDMENTS TO
NEW YORK STATE'S CRIMINAL JUSTICE REFORMS.**

By Councilor _____.

WHEREAS, the City of Rome is cognizant of the fact that there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, but it is widely recognized that several of the drastic changes in the laws are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS, judges' discretion in setting bail has been drastically reduced; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW, THEREFORE, BE IT RESOLVED that the City of Rome supports the following set of amendments that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;

- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony, and clarifying that the requirements do not apply to parking and local code violations;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order;
- Give judges more discretion in setting bail.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the City of Rome Common Council be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Joseph A. Griffo and Assemblywoman Marianne Buttenschon, the New York State Conference of Mayors, and local media outlets.

Seconded by Councilor _____.

AYES & NAYS: Sparace __ Mortise __ Rogers __ Smith__ Anderson__ Dursi __ Tracy __

ADOPTED ____

DEFEATED ____