

COMMON COUNCIL
Regular Session
August 1, 2017

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

Minutes:

The minutes of the July 11, 2017 Regular Session were approved as printed and placed on file in the City Clerk's office on motion of Alderwoman Jodway and seconded by Alderman Shaffer.

All in favor: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Carter, Atutis

Bills:

Bills for the period of July 11, 2017 through August 1, 2017 in the amount of **\$116,647.13 Current Check numbers 62105-62120 prepaid Check numbers 62090, 62091, 62092** were approved as audited on motion of Alderman Carter and seconded by Alderman Shaffer

Roll Call: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Atutis, Carter

Monthly Report:

The report of the City Clerk and Court Clerk for the month of July, 2017 was accepted and placed on file on motion by Alderman Shaffer and seconded by Alderman Gressler.

All in favor: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Atutis, Carter

RESOLUTION #36

August 1, 2017

**RESOLUTION No. 36 OF THE COMMON COUNCIL OF THE
CITY OF LITTLE FALLS**

WHEREAS, the City of Little Falls was joined as a Plaintiff in *Abele et al. v. Hardscrabble Wind Power et al.* ("the Action") for alleged damages and injuries to real

property owned by the City of Little Falls related to wind turbines owned and operated by the Defendants; and

WHEREAS, the City of Little Falls is being represented by Jeff DeFrancisco, Esq. and Melody Scalfone, Esq. on a contingency fee basis; and

WHEREAS, the parties to the Action have agreed to enter into settlement discussions; and

WHEREAS, the Mayor, as the Chief Executive Officer of the City of Little Falls, has executed a confidentiality agreement on behalf of the City of Little Falls for the purpose of negotiating a potential resolution to the Action; and

WHEREAS, said confidentiality agreement applies to the Mayor, the City Clerk, and all members of the Common Council and prohibits anyone privy to information related to the settlement negotiations concerning the Action from any public disclosure or discussion of the settlement negotiations and/or the terms of any settlement; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council shall authorize Jeff DeFrancisco, Esq. and/or Melody Scalfone, Esq. to negotiate and settle the matter of *Abele et al. v. Hardscrabble Wind Power et al.* on behalf of the City of Little Falls; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any settlement documents and/or confidentiality agreements requiring the non-disclosure of settlement negotiations and/or settlement terms and said agreement applies to the Mayor, the City Clerk, and all members of the Common Council and prohibits anyone privy to such information related to the settlement negotiations and terms arising out of the Action from public discussion or disclosure of the settlement negotiations and/or the terms of settlement; and

BE IT FURTHER RESOLVED, that the aforesaid confidentiality agreement shall remain in effect in perpetuity; and

BE IT FURTHER RESOLVED that the aforesaid settlement authority shall remain in effect for the extent of the Action unless revoked by the Common Council or Mayor.

Motion to go into EXECUTIVE SESSION at 7:01 was made by Alderwoman Jodway and seconded by Alderman Shaffer.

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

Nay: Carter

Motion to RECONVENE at 7:09 was made by Alderwoman Jodway and seconded by Alderman Shaffer with all in favor.

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

Dated: August 1, 2017

Motion Alderman Shaffer

Second Alderwoman Jodway

Roll Call: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Carter, Atutis

Kira Andrilla, City Clerk of the City of Little Falls

Resolution #37

August 1, 2017

**RESOLUTION No. 37 OF THE COMMON COUNCIL OF THE
CITY OF LITTLE FALLS**

WHEREAS, a Real Property Tax Law Article 7 Tax Certiorari Petitions were recently filed, and

WHEREAS, Attorney Mark Rose regularly handles the litigation of Real Property Tax Law Article 7 Tax Certiorari Petitions for the City of Little Falls; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Little Falls, that Mark Rose, Esq. shall continue to handle the litigation of Real Property Tax Law Article 7 Tax Certiorari Petition(s) filed in 2017 for the City of Little Falls at the rate of \$175/hour for out of court time and \$185 an hour for in court time.

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

Dated: August 1, 2017

Motion Alderwoman Jodway

Second Alderman Welyczko

City Attorney gave the Council a background about this resolution.

Roll Call: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Carter, Atutis

Kira Andrilla, City Clerk of the City of Little Falls

Resolution #38

August 1, 2017

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

WHEREAS, the City of Little Falls went out to bid for work to be done at Veteran's Memorial Park; and

WHEREAS, the City of Little Falls has received the bids and same have been reviewed by CT Male;

NOW, THEREFORE, BE IT RESOLVED, that the bid from Patricia Electric, Inc., in the amount of \$414,000 for the following work to be done in accordance with the bid is hereby approved:

- Mobilization/Demobilization
- Demolition and Removals
- Electrical Service
- Scoreboard
- Court Rehabilitation
- Site Restoration
- Pedestrian Safety Lighting.

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

Dated: August 1, 2017

Motion Alderman Gressler

Second Alderman Regan

CT Male was present at the meeting to answer any questions. A brief update regarding the bids and the process was given.

Roll Call: Gressler, Shaffer, Jodway, Welyczko, Ruffing, Regan, Carter, Atutis

Kira Andrilla, City Clerk of the City of Little Falls

Comments from the floor:

Residents from Argonne Place thanked the Mayor and aldermen who came and looked at their residence regarding the flooding. Also discussed was 83-85 W. Monroe Street. The owners are asking for some help with the overgrown weeds from the cemetery. Mayor will ask John Sullivan to take a look at this.

Old Business:

Alderman Gressler handed out a map from the Historical Society regarding changing the entrances to the City. He will keep all updated.

Mayor:

Mayor Blask reminded all about Canal Days and asked that the Council members be at the library around 5:30 to ride the float or walk.

Adjournment:

Meeting was adjourned at 7:24 p.m. with the motion made by Alderman Ruffing and seconded by Alderman Welyczko with all in favor.

Next meeting will be September 5, 2017. Bills will be at 6:30 pm with a regular session of the Common Council at 7:00 pm. **Any questions please contact City Clerk.** Thank you