

COMMON COUNCIL

November 20, 2012

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on November 20, 2012, in the Common Council Chambers at One Court Plaza.

Present:

Ald. Bryan McCracken
Ald. Terry Bresina
Ald. John Deierlein
Ald. Walter Schermerhorn
Lawrence
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Mayor Joseph Maiurano
Supervisor James McNeil

Also:

Director of Finance/City Clerk William Roberts
DPW Superintendent Carl Ivarson
Community Development Specialist Todd Dreyer
Code Enforcement Officer/Fire Marshall Jason

EMO A. Jones
Youth Bureau Director Robert Mason
City Attorney Patrick Flanagan
Deputy City Clerk Brian Drake
Shawn Magrath, Media Representative

Absent:

Supervisor Robert Jeffrey

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:03 p.m.

Approval of minutes

Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of November 20, 2012. Seconded by Ald. Laughlin, duly approved ayes all.

Open Forum Mayor Maiurano urged residents to buy local during the upcoming holiday season. He reviewed the advantages of buying local for the community.

1. Buy Local. Several studies have shown that when you buy from an independent, locally owned business, rather than nationally owned businesses, significantly more of your money is used to make purchases from other local businesses, service providers and farms -- continuing to strengthen the economic base of the community
2. Support community groups: Non-profit organizations receive an average 250% more support from smaller business owners than they do from large businesses.
3. Keep our community unique: Where we shop, where we eat and have fun — all of it makes our community home. Our one-of-a-kind businesses are an integral part of the distinctive character of this place. Our tourism businesses also benefit.
4. Create more good jobs: Small local businesses are the largest employer nationally and in our community, provide the most jobs to residents.
5. Get better service: Local businesses often hire people with a better understanding of the products they are selling and take more time to get to know customers.
6. Invest in community: Local businesses are owned by people who live in this community, are less likely to leave, and are more invested in the community's future.
7. Put your taxes to good use: Local businesses in town centers require comparatively little infrastructure investment and make more efficient use of public services as compared to nationally owned stores entering the community.
8. Buy what you want, not what someone wants you to buy: A marketplace of tens of thousands of small businesses is the best way to ensure innovation and low prices over the long-term. A multitude of small businesses, each selecting products based not on a national sales plan but on their own interests and the needs of their local customers, guarantees a much broader range of product choices.
9. Encourage local prosperity: A growing body of economic research shows that in an increasingly homogenized world, entrepreneurs and skilled workers are more likely to invest and settle in communities that preserve their one-of-a-kind businesses and distinctive character.

Department, Board and Commission Reports

- ◆ Police Department Report of October 2012
- ◆ Traffic Commission Minutes of September 12, 2012
- ◆ Water Commission Minutes of November 14, 2012
- ◆ Water System Report of October 2012
- ◆ Youth Bureau Report of October 2012

Ald. Deierlein **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Schermerhorn, approved ayes all.

Ward Reports

Ward 1

Ald. McCracken reported that he received no communications from constituents during the past month.

Ward 2

Ald. Bresina reported that all issues have been reported to the appropriate department head and Commission and are in the process of being resolved.

Ward 3

Ald. Deierlein reported that he has received no communications from constituents during the past month.

Ward 4

Ald. Schermerhorn reported that all issues have been reported to the appropriate department heads and have been resolved.

Ward 5

Ald. Laughlin reported that he received no comments from constituents during the past month.

Ward 6

Ald. LoPiccolo reported that he received no comments from constituents during the past month.

Ald. McCracken **moved** to receive and file the ward reports. Seconded by Ald. LoPiccolo, approved ayes all.

Resolutions

RESOLUTION #97-2012

AWARDING BID – 2012 TREE REMOVAL

Ald. Schermerhorn introduced the following and **moved** its adoption:

WHEREAS, bids have been received for 2012 Tree Removal; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; now, therefore be it

RESOLVED, that the bid for 2012 Tree Removal be awarded to the lowest qualified bidder meeting specifications, American Arborist Co. of Oneida, NY, in the following amounts:

Item A	\$ 6,675.00
Item B	175.00
Item C	<u>1,600.00</u>
Total	\$ 8,450.00

Seconded by Ald. LoPiccolo, and duly adopted, 6-0, on a roll call vote.

RESOLUTION #98-2012

AUTHORIZING CONTRACT FOR WATER WEED REMOVAL

Ald. Schermerhorn introduced the following and **moved** its adoption:

WHEREAS, watermilfoil, a water weed, has infested Chenango Lake and interfered with the enjoyment and use of the water supply there; and

WHEREAS, use of a third-party firm has been deemed the most efficient method to effect removal of this infestation; and

WHEREAS, a contract with a third-party firm must be negotiated before the end of the year in order to accommodate the permitting process required by the NYS DEC; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign an agreement with The Pond and Lake Connection to remove watermilfoil at Chenango Lake at a cost not to exceed \$12,550.

Seconded by Ald. Laughlin, and duly adopted, 6-0, on a roll call vote.

RESOLUTION #99-2012 **AUTHORIZING BUDGET TRANSFER FOR PAYMENT OF TAXES ON DELINQUENT PROPERTY AND LEGAL FEES FOR BANKRUPTCY AND EVICTION PROCESSES**

Ald. LoPiccolo introduced the following and **moved** its adoption:

WHEREAS, the City’s filing of tax deeds and corresponding establishment of tax exempt status on several unredeemed properties was delayed by pending bankruptcy proceedings involving certain previous owners; and

WHEREAS, the subsequently delayed removal from bankruptcy protection has resulted in the transitional requirement for the City to pay currently levied school taxes; and

WHEREAS, the proceedings for one of the bankruptcy cases and for an eviction case required extensive legal work incurring higher than usual costs; and

WHEREAS, the Finance/Personnel Committee has made certain recommendations; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2012 General Fund Budget:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$10,301.54
<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1950.4	Refunds & Taxes – City Owned Property	\$ 6,001.54
A1420.4020	Attorney – Contracted Services	\$ 4,300.00

Seconded by Ald. Bresina, and duly adopted, 6-0, on a roll call vote.

RESOLUTION #100-2012 **DECLARING EQUIPMENT SURPLUS AND AUTHORIZING DISPOSAL**

Ald. Schermerhorn introduced the following and **moved** its adoption:

WHEREAS, certain obsolete vehicles and equipment have been deemed to be surplus by the Department of Public Works and Police Department; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; now, therefore be it

RESOLVED, that the following items, as presented to the Common Council, be and hereby are declared surplus:

2000 GMC Pickup Truck (VIN: 1GTGK24R3YR202481)
2005 Ford CVPI (VIN: 2FAFP71W25X164785)
2007 Ford CVPI (VIN: 2FAHP71W07X154414)

and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to dispose of such equipment as is provided for by law.

Seconded by Ald. Laughlin, and duly adopted, 6-0, on a roll call vote.

RESOLUTION #101-2012 **AUTHORIZING EMERGENCY HOME REPAIR PROGRAM GRANT AND
LOAN ASSISTANCE AT 9 BURR AVENUE**

Ald. Laughlin introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich administers an Emergency Home Repair Program designed to provide grants and/or loans to income-qualifying homeowners for the purpose of making emergency home repairs; and

WHEREAS, an application for assistance was received from Kenneth Brewer, Jr. for the purpose of funding the removal of a dilapidated brick chimney, installing a new furnace vent, water heater vent, and roof and soffit repairs at his residence at 9 Burr Avenue; and

WHEREAS, it has been determined that the applicant is income-eligible for 50 percent grant assistance and 50 percent loan assistance; and

WHEREAS, work estimates have been received from qualified contractors based on a work scope prepared by City staff; and

WHEREAS, an estimated 77.44% of the City funds to be expended on the repair work for this Emergency Home Repair Program project will be reimbursed to the City from the current USDA Rural Development Housing Preservation grant; and

WHEREAS, this resolution supersedes Resolution 92-2012 approved on October 16, 2012; and

WHEREAS, the proposed action is appropriately classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that the Mayor of the City of Norwich be and hereby is authorized to prepare necessary documents related to the issuance of City Emergency Home Repair Program grant and loan assistance to the applicant; and, be it further

RESOLVED, that the City of Norwich Finance Director be and hereby is authorized to make payments to the selected contractor for the amount of the contractor's estimate for direct repair costs, but not to exceed \$7,580.00 (seven thousand, five hundred eighty dollars), and other minor amounts for necessary change orders that may be approved by the City, and payments to the lead-testing firm for lead assessment and lead-clearance costs.

Seconded by Ald. Bresina and duly adopted, 6-0, on a roll call vote.

RESOLUTION #102-2012

**AUTHORIZING EMERGENCY HOME REPAIR PROGRAM GRANT
ASSISTANCE AT 7 PARK STREET**

Ald. Bresina introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich administers an Emergency Home Repair Program designed to provide grants and/or loans to income-qualifying homeowners for the purpose of making emergency home repairs; and

WHEREAS, an application for assistance was received from Melissa A. Jarvis for the purpose of funding the replacement of the roof, sheetrock installation in the second-floor bathroom and stairway, and painting as needed at her residence at 7 Park Street; and

WHEREAS, it has been determined that the applicant is income-eligible for one hundred percent grant assistance; and

WHEREAS, work estimates will be solicited from qualified contractors based on a work scope prepared by City staff; and

WHEREAS, an estimated 77.44% of the City funds to be expended on the repair work for this Emergency Home Repair Program project will be reimbursed to the City from the current USDA Rural Development Housing Preservation grant; and

WHEREAS, the proposed action is appropriately classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that, upon receiving estimates from at least two qualified contractors, the Mayor of the City of Norwich be and hereby is authorized to prepare necessary documents related to the issuance of City Emergency Home Repair Program grant assistance to the applicant; and, be it further

RESOLVED, that the City of Norwich Finance Director be and hereby is authorized to make payments to the selected contractor for the amount of the contractor's estimate for direct repair costs, but not to exceed \$7,500.00 (seven thousand, five hundred dollars), and other minor amounts for necessary change orders that may be approved by the City, and payments to the lead-testing firm for lead assessment and lead-clearance costs.

Seconded by Ald. Deierlein and duly adopted, 6-0, on a roll call vote.

RESOLUTION #103-2012

**AUTHORIZING A JOINT APPLICATION WITH NORWICH BIDMA TO
THE COUNCIL OF THE ARTS FOR A DECENTRALIZATION GRANT**

Ald. Schermerhorn introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich desires to sponsor and support artistic ventures for the benefit of the community; and

WHEREAS, the Chenango County Council of the Arts has informed the of City of its eligibility for a Decentralization Grant to fund worthy artistic endeavors; and

WHEREAS, the City of Norwich Band has requested funding from the City to cover costs associated with conducting the 2013 summer concert series; and

WHEREAS, the Norwich Business Improvement District Management Association, Inc. (Norwich BIDMA) is applying jointly with the City of Norwich for funding support of the 2013 "Lunchtime Live" concert series; and

WHEREAS, the grant application to the Chenango County Council of the Arts for the above-described artistic ventures is classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA), thereby requiring no determination of significance; now, therefore, be it

RESOLVED, that the City of Norwich Common Council hereby authorizes the Mayor to apply for a 2013 Decentralization Grant through the Chenango County Council of the Arts in an amount up to \$2,500 to provide funding support for the Norwich City Band's 2013 summer concert series, and the Norwich BIDMA's 2013 "Lunchtime Live" concert series.

Seconded by Ald. Bresina, and duly adopted, 6-0, on a roll call vote.

Payment of November 2012 Bills Ald. Laughlin **moved** to pay the November 2012 bills after proper audit and certification. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

November Bills

	<u>Prepaid</u>	<u>11/20/12</u>	<u>Grand Total</u>
General Fund	\$ 219,895.88	\$ 99,620.31	\$ 319,516.19
Sewer Fund	8,337.78	36,572.56	44,910.34
Water Fund	17,470.02	32,853.43	50,323.45
Trust	42,092.43	-	42,092.43
Debt Service	98,396.00	-	96,396.00
Community Dev. Small Cities	-	4,476.15	4,476.15
Community Dev. Special Grants	-	49.00	49.00
Economic Dev.	14,874.10	1,750.00	16,624.10
Capital Projects	170,353.00	-	170,353.00
TOTALS	\$ 571,419.21	\$ 175,321.45	\$ 746,740.66

Mayor Maiurano wished everyone a happy Thanksgiving holiday.

Adjournment

Ald. Deierlein **moved** to adjourn at 7:16 p.m. Seconded by Ald. Laughlin, accepted ayes all.