

COMMON COUNCIL

Special Meeting
December 11, 2012

In the absence of Mayor Joseph Maiurano, Ald. Terry Bresina presided at a special meeting of the Common Council held at 6:00 PM on December 11, 2012, in the Common Council Chambers at One Court Plaza.

Present:

Ald. Bryan McCracken
Ald. Terry Bresina
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Supervisor Robert Jeffrey

Also:

Director of Finance/City Clerk William Roberts
Human Resource Director Deborah DeForest
Police Chief Joseph Angelino
DPW Superintendent Carl Ivarson
Youth Bureau Director Robert Mason
Code Enforcement Office/Fire Marshall Jason Lawrence
Deputy City Clerk Brian Drake
Fire Chief Tracy Chawgo
Assistant Police Chief Scott Burlison
EMO A. Jones
Shawn Magrath, Media Representative

Absent:

Mayor Joseph Maiurano
Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Ald. Bresina at 6:01 p.m.

Appointment

Ald. McCracken **moved** to appoint Russell Husted, 7 Davis Street, to the Traffic Commission for a three-year term expiring December 31, 2015. Seconded by Ald. LoPiccolo, approved ayes all.

Motion

Authorize 2013 CSPCA Agreement for Animal Services. Ald. Schermerhorn **moved** to authorize the Mayor, under the direction of the City Attorney, to sign an agreement with the Chenango County SPCA for Animal Shelter Services from January 1, 2013 through December 31, 2013, such agreement to include a fee of \$75 for each dog and an additional boarding fee of \$15 per day per dog seized whose holding period exceeds five business days. Seconded by Ald. LoPiccolo and duly adopted, 6-0, on a roll call vote.

RESOLUTIONS

**RESOLUTION #104-2012 AUTHORIZING ESTABLISHMENT OF WATER FILTRATION FACILITIES
CAPITAL PROJECT, USDA RD FUNDING APPLICATION, AND
ENGAGEMENT OF DELAWARE ENGINEERING**

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

WHEREAS, over the past several years the City has pursued various avenues for accomplishing the replacement of the existing 108-year-old drinking water filtration facilities and establishment of a corresponding capital project for that purpose (the "Water Filtration Project"); and

WHEREAS, the Common Council authorized engineering services for various conceptual design alternatives and pre-application to the United States Department of Agriculture Rural Development agency ("RD") for project funding resources through the following adopted resolutions: #28-2007 on March 20, 2007; #15-2008 on February 19, 2008; #62-2009 on October 20, 2009; and #85-2010 on November 16, 2010; and

WHEREAS, the total estimated cost of the Water Filtration Project is projected not to exceed \$6,135,000.00; and

WHEREAS, following the completion of the conceptual design and a response from RD for a possible funding scenario, four highly qualified responses to Requests for Qualifications for the performance of comprehensive engineering services for all applicable phases of the Water Filtration Project have been received and reviewed by the Superintendent of Public Works; and

WHEREAS, the two best qualified engineering firms have been subsequently interviewed by the Superintendent of Public Works, the Director of Finance, and the Mayor, with a submittal of estimated fees for such services; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations to move forward with the Water Filtration Project; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to establish appropriate budgetary accounts in the Capital Projects Fund for the Water Filtration Project, based on a total estimated project cost of \$6,135,000; and, further be it

RESOLVED, that the Mayor, the Superintendent of Public Works, and the Director of Finance be and hereby are authorized to submit a full application to RD and to other funding sources as may be necessary for the funding of the project, and also to pursue and negotiate the related professional bonding services of a Financial Advisor and Bond Counsel; and, further be it

RESOLVED, that the Mayor be and is hereby authorized under the direction of the City Attorney, to execute an agreement with Delaware Engineering P.C. of Oneonta, New York, for professional services necessary for the completion of the Water Filtration Project at a cost not to exceed \$749,000.00.

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

Public Hearings

Proposed Local Law No. (A) of 2012 to Override Tax Levy Limit

Ald. Bresina opened the public hearing on Proposed Local Law No. (A) of 2012 at 6:04 p.m.

Michael Tidd, 87 Canasawacta Street, asked of the Council what factors were driving the property tax increase. Ald. Bresina replied that the primary factor is the exponential increases in the required local contributions to the State pension plan. Mr. Tidd then asked why the State is continually coming to the local communities to bail out their programs, which is grossly unfair and improper.

Jeff Thornton, 42 Waite Street, stated that he served on the Common Council for eight years and asked about the Council's strategic plan for not having to override the State's 2% property tax cap in future.

Mr. Tidd again addressed the Council, stating he is pro-union, but that union contracts should be negotiable to mitigate rising costs. Mr. Tidd said that rising property taxes would make people leave the area, and if property values drop, tax income revenue will also fall. Ald. Bresina replied that he does not know details about the negotiability of certain contracts.

Melissa Hayes, 6 East Main Street, asked the Council what other strategies they explored to avoid a property tax increase and increase revenues. Ald. Bresina replied that the bulk of the City's expenses are related to employee costs (especially mandated pension costs), and that those costs have been significantly reduced by reducing the number of employees. To reduce the number of employees would affect the services the City must provide and that residents expect. The State can pass costs on to local governments, but the local governments cannot pass them on to other governments. The local-level government must provide basic services. The City does not have expensive, unnecessary programs that it can cut. Ms. Hayes suggested that the City must be more efficient. Ald. Schermerhorn explained that a city government is not a business and does not exist to raise revenues, but to provide services. Ms. Hayes said it should be more like a business and lay off employees if necessary. Ald. Schermerhorn stated that that would affect the services that local businesses need to run their businesses. He thanked Ms. Hayes for her comments and hoped that she and others would make their voices heard at the State level, as it is State policies that are driving local tax increases.

Tom Kelly, Borden Avenue, asked what the Council plans to handle increases in 2014, and future years.

Mike Hayes, 12 Taylor Avenue, asked when the budget would be voted on. Deputy City Clerk Brian Drake replied that it would be voted on at the regular Council meeting on December 18, at 7:00 p.m. Mr. Hayes asked William Roberts, Director of Finance, to explain a quote he had given to the newspaper about the austerity cuts the City has already implemented. W. Roberts responded that the City has significantly reduced the number of employees over the last several years, citing as examples the fact that the City used to employ two full-time assessors, comprising 80 hours/week, and now has one part-time assessor at 8 hours/week; the Finance Office has dropped from nine to five

employees; the Department of Public Works has had a 40% reduction in the number of employees; but while the number of employees has fallen, the workload has increased significantly due to increased State-mandated responsibilities at the local level. He noted that if the State had kept to its own tax cap of 2% for pension costs, there would be no property-tax increase required; that the State increased mandated local contributions to the pension plan by 12.1% in 2008, by 12% in 2009, by 15% in 2010, by 19.5% in 2011, and by 25% in 2012. He explained that the State invested pension funds in the stock market and made changes to the plan when the market was rising, but when the market fell shifted the burden for funding the plan to local governments. The City has lobbied Albany for many years to repair the broken pension plan; the New York Conference of Mayors and Municipal Officials (NYCOM) has lobbied as well for pension reform. But the voters need to approach the State officials directly to make their voices heard.

Adam Bosworth, owner of rental properties within the City, estimated the amount to be raised from this increase as \$700,000 to \$800,000; W. Roberts stated the amount to be raised by the increase would actually be \$249,000. Mr. Bosworth asked when the City was notified of the required increase pension contribution. W. Roberts replied that the City was notified in August. Mr. Bosworth said it is terrible that the State would not notify the City earlier, so that local property owners could be prepared. He expressed his concerns that he would not be able to cover the increase by increasing costs to his tenants.

Hearing no further comments, Ald. Bresina closed the public hearing at 6:46 p.m.

Public Hearing - Tentative 2013 Budget

Ald. Bresina opened the public hearing on the Tentative 2013 budget at 6:47 p.m.

Joseph Biviano, 86 East Main Street, reminded the Council of efforts he made to cut City expenses and consolidation with the Town and County. He addressed changes made by the State legislature in 2000 to the State pension plan, limiting contributions and depending on the rising stock market to make up the difference, and the growing cost of the pension plan that is now shifted to local governments, as well as the decrease in revenue sharing by the State. He broached some cost-cutting measures that might be implemented, such as controlling overtime and related costs within the Fire and Police Departments, where the largest pension costs accrue. He discussed changing the law to utilize volunteer firefighters and combining departments, but hiring even more police. He also suggested hiring records management personnel [that position is currently vacant].

Mr. Tidd again addressed the Council to suggest that someone investigate converting the City's trucks to natural gas, which could save money.

Mr. Thornton again addressed the Council, stating that no one made them run for office, that they had a difficult job, but that they should come up with solutions, not him.

Mr. Kelly again addressed the Council, stating that he was born in Norwich, and that it is unproductive to raise property taxes when high taxes have ruined Upstate New York.

Mr. Bosworth again addressed the Council, suggesting that cutting the entire payroll would mean property taxes need not be raised.

Mr. Thornton again addressed the Council, stating that there is a possibility that local governments may borrow against the pension to pay pension costs, that this would be a terrible idea that could ruin the City, but that it should be considered.

Ald. Bresina stated that during these hearings he has allowed people to speak longer than their allotted times because of the importance of the issues being considered. He thanked everyone for their comments and stated that the Council would weigh all of their concerns. Hearing no further comments, Ald. Bresina closed the public hearing at 7:15 p.m.

Adjournment

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