COMMON COUNCIL

July 15, 2014

In the absence of Mayor Joseph Maiurano, Ald. Walter Schermerhorn presided at a meeting of the Common Council held at 7:00 PM on July 15, 2014, in the Common Council Chambers at One Court Plaza.

Present:
Ald. Bryan McCracken
Ald. Brian Doliver
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Supervisor James McNeil

Absent:
Mayor Joseph Maiurano
Supervisor Robert Jeffrey

Also:
Director of Finance/City Clerk William Roberts
Human Resources Director Deborah DeForest
EMO A. Jones
Code Enforcement Officer/Fire Marshall Jason Lawrence
Police Chief Joseph Angelino
Youth Bureau Director Robert Mason
City Attorney Patrick Flanagan
Fire Chief Tracy Chawgo
Deputy City Clerk Brian Drake
Media Representative Shawn Magrath

Call to Order
The meeting of the Common Council was called to order by Ald. Schermerhorn at 7:01 p.m.

Approval of minutes
Ald. McCracken **moved** to approve the minutes of the regular meeting of June 17, 2014, and the special meeting of July 1, 2014. Seconded by Ald. Laughlin, duly approved ayes all.

Open Forum There were no comments.

Correspondence

Eddie Caputo Memorial 5k Walk/Run Ald. Laughlin **moved** to receive and approve a request from David Wells to hold the Eddie Caputo Memorial 5k Walk/Run on Saturday, August 23, 2014, beginning at 10:30 a.m. until the end of the event at approximately 12:30 p.m., with police assistance along the route designated. Seconded by Ald. Deierlein, approved ayes all. In response to a question from Ald. Deierlein, Police Chief Joseph Angelino said that there have been no issues with the walk/run in the past, and the route is relatively easy to monitor.

Department, Board and Commission Reports

Parks Commission Minutes of June 9, 2014
Police Department Report of June 2014
Traffic Commission Minutes of June 11, 2014
Water Commission Minutes of June 25, 2014
Youth Bureau Report of June 2014

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

Ward Reports

Ward 1
Ald. McCracken reported he received no communications from constituents during the last month.

Ward 2
Ald. Doliver reported that he received two communications, which have been resolved.

Ward 3
Ald. Deierlein reported that all issues have been referred to the appropriate department heads for resolution.

Ward 4
Ald. Schermerhorn reported that all communications have been referred to the appropriate department heads and have been or are in the process of being resolved.

Ward 5
Ald. Laughlin reported that he received no communications during the past month. He noted that a water main break occurred this morning. He called the Water Department, which arrived within ten minutes, worked through the rain, and had the break repaired by 2 p.m., and thanked them for their prompt response.

Ward 6
Ald. LoPiccolo reported that all communications have been referred to the appropriate department heads and have been or are in the process of being resolved.

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

Resolutions

RESOLUTION #41-2014 **AUTHORIZING THE WHEELER AVENUE WATER TANK REPLACEMENT PROJECT, IN AND FOR THE CITY OF NORWICH, CHENANGO COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $2,700,000, AND AUTHORIZING THE ISSUANCE OF $2,600,000 BONDS AND UP TO $100,000 CAPITAL RESERVE FUNDS OF SAID CITY TO PAY THE COST THEREOF**

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; now, therefore, be it

RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Norwich, Chenango County, New York, as follows:

Section 1. The Wheeler Avenue Water Tank Replacement Project in and for the City of Norwich, Chenango County, New York, including incidental costs and expenses, is hereby authorized at a maximum estimated cost of $2,700,000.

Section 2. The plan for the financing of such maximum estimated cost is (i) by the issuance of $2,600,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of serial bonds ultimately to be issued shall be reduced dollar for dollar by the amount of any grant monies received therefor; and (ii) by the appropriation and expenditure of up to $100,000 of capital reserve funds..

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Norwich, Chenango County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Director of Finance, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably

expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this Bond Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

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

Discussion: Director of Finance William Roberts summarized the resolution and explained that this is a $2.7 million project already authorized by the Council in May.

RESOLUTION #42-2014 **AUTHORIZING MAYOR TO EXECUTE DOCUMENTS FOR USDA RD LOAN AND GRANT AND FOR OTHER FUNDING SOURCES AS MAY BE NEEDED FOR WHEELER AVENUE WATER TANK REPLACEMENT CAPITAL PROJECT**

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

WHEREAS, the Common Council, on April 15, 2014, adopted Resolution number 21-2014, authorizing the establishment of a capital project for the replacement of the water storage tank on Wheeler Avenue (the "Project"); and

WHEREAS, said resolution also authorized the submittal of a funding application to the United States Department of Agriculture Rural Development agency ("Rural Development") and also to any other funding sources as may be needed for the funding of the Project; and

WHEREAS, a funding application has been submitted to Rural Development, which will require the execution of documents by the Mayor for any obligations and related paperwork associated with the award and issuance by Rural Development of any loan and grant; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney, to execute any and all documents as may be required by Rural Development for its award and issuance of any loan and grant funding for the Project; and, further be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney, to execute any and all documents as may be required by any other sources as may be needed for funding the Project.

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

Discussion: Ald. Deierlein asked about possible grants. W. Roberts explained that of the $2.7 million project, USDA-RD will be giving the City a $750,000 grant and providing a $1.85 million loan at 2.5% for a term of 38 years. The City is very grateful to receive such a generous grant and loan terms.

RESOLUTION #43-2014 **AWARDING BID – DIGESTER CLEANING AND INSPECTION**

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

WHEREAS, bids have been received for digester cleaning and inspection; and

WHEREAS, as provided in the 2014 budget, capital reserve funds will be required to provide a portion of the cost; and

WHEREAS, the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the bid for digester cleaning and inspection be awarded to the lowest qualified bidder meeting specifications, Synagro Central, LLC of Baltimore, MD, in the amount of $123,515.

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

RESOLUTION #44-2014 **AUTHORIZING PURCHASE OF MAP PRINTER AND TRANSFER OF FUNDS**

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

WHEREAS, the map printer for the Department of Public Works is fifteen years old and no longer functional; and

WHEREAS, the map printer is a vital component of the Department, saving costs of replacing large-format plans and maps used in the field; and

WHEREAS, two proposals for a replacement were received, of which the lower was $9,350; and

WHEREAS, the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the purchase of a map printer by the Department of Public Works is hereby approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2014 General Fund Budget:

From:

Account Number	Name	Amount
HR42-898	Capital Reserves – Sewer Equipment	$9,350.00

To:

Account Number	Name	Amount
G8110.2100	Wastewater Fund Administration Equipment	$9,350.00

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

Discussion: W. Roberts explained that this will be charged to the Wastewater Fund because most of the printing being done is for the several projects being done at the WWTP.

RESOLUTION #45-2014 **AUTHORIZING REVISION OF EMPLOYEE MILEAGE REIMBURSEMENT RATE**

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

WHEREAS, vehicle operating costs have steadily and significantly increased during recent years; and

WHEREAS, the City of Norwich mileage reimbursement rate for the authorized use of personal vehicles on official City business is currently at 40¢ per mile and has been in effect since 2005; and

WHEREAS, the NYS Comptroller's Office and other governmental entities indicate a predominate use of the IRS Mileage Reimbursement Rate, which was revised to 56¢ effective January 1, 2014; and

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

RESOLVED, that the City of Norwich mileage reimbursement rate be revised to agree with the 2014 IRS Mileage Reimbursement Rate of 56¢ effective immediately; and, further be it

RESOLVED, that the subject rate shall hereafter adhere to the IRS Mileage Reimbursement Rate, as reviewed and reported annually by the IRS.

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

Payment of July 2014 Bills Ald. Laughlin **moved** that the payment of the July 2014 bills be authorized subject to final audit and verification, and subject to subsequent ratification and approval of the detailed bill list at the August 2014 meeting. Seconded by Ald. Deierlein and duly adopted, ayes all.

Adjournment
Ald. Laughlin **moved** to adjourn at 7:13 p.m. Seconded by Ald. Deierlein, accepted ayes all.