COMMON COUNCIL

September 16, 2014

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on September 16, 2014, in the Common Council Chambers at One Court Plaza.

Present:
Mayor Joseph Maiurano
Ald. Bryan McCracken
Ald. Brian Doliver
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Supervisor Robert Jeffrey

Absent:
Supervisor James McNeil

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

Call to Order
The meeting of the Common Council was called to order by Mayor Maiurano at 7:02 p.m.

Approval of minutes
Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of August 19, 2014. Seconded by Ald. Laughlin and duly approved ayes all.

Open Forum There were no comments.

Mayoral Appointment with Council Approval – Parks Commission Ald. McCracken **moved** to approve the Mayor's appointment of Kim Thompson, 32 Elm Street, to the Parks Commission to fulfill a three-year term expiring December 31, 2015. Seconded by Ald. Doliver and duly approved ayes all.

Correspondence

Pumpkin Festival – Ald. LoPiccolo **moved** to receive and approve a request from Ann Coe of the B.I.D. to supplement the February 18th motion approving the 2014 Pumpkin Festival by: 1.) including Special Event designation; 2.) providing street closings with police assistance of East Park Place and West Park Place from 8:00 a.m. on Friday, October 3rd until cleanup is complete on Sunday October 5th around 12:00 p.m., and of West Main Street from North Broad to Court Street from 8 a.m. October 3 through Saturday, October 4th until the conclusion of fireworks at approximately 9:30 p.m.; and 3.) temporarily relocating the Bullthistle Farmers Market to the East Main Street parking lot on October 4, 2014. Seconded by Ald. Schermerhorn and duly approved ayes all.

Department, Board and Commission Reports
- Police Department Report of August 2014
- Water Commission Minutes of August 20, 2014
- Youth Board Minutes of September 3, 2014
- Youth Bureau Report of July/August 2014

Ald. Laughlin **moved** to receive and file the department, board, and commission reports. Seconded by Ald. McCracken, approved ayes all. The Mayor reminded everyone that the reports are posted on line, and if anyone ever had any questions regarding them, they were welcome to call him.

Ward Reports

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

Ward 2
Ald. Doliver reported that all communications have been referred to the appropriate department heads and resolved.

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

Ward 4
Ald. Schermerhorn reported that all matters and concerns have been disposed by appropriate department heads.

Ward 5
Ald. Laughlin reported that he received no communications from constituents during the last month..

Ward 6
Ald. LoPiccolo reported that all communications were sent to the appropriate department heads and taken care of.

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

Motions

Set Public Hearing – CDBG Loan/Grant Ald. Deierlein **moved** to set a public hearing at 7 p.m. on October 21, 2014, to receive public comment on the CDBG Small Business grant/loan awarded to Label Gallery, Inc. in September of 2013. Seconded by Ald. Schermerhorn, approved ayes all.

Resolutions

RESOLUTION #59-2014 **DECLARING COMPUTER EQUIPMENT SURPLUS AND AUTHORIZING DISPOSAL**

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

WHEREAS, periodically certain obsolete electronic devices, computers, components, etc., are deemed to be surplus and of no material value to various departments of the City; and

WHEREAS, Chenango County now has an e-waste disposal facility to recycle at no charge such waste that is not allowed to be conventionally disposed under environmental regulations; and

WHEREAS, computerized equipment may contain sensitive information and

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

RESOLVED, that e-waste and electronic items such as computers, monitors, printers, copiers, be and hereby are declared surplus as and when they become obsolete; 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 and City security policies.

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

RESOLUTION #60-2014 **AUTHORIZING BUDGET TRANSFER FOR WRITE-OFFS OF UNCOLLECTABLE BALANCES**

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

WHEREAS, the City of Norwich has certain uncollectable balances for the years 2004 through 2008; and

WHEREAS, budget transfers are required to accommodate the write-off of such balances; and

WHEREAS, the Joint Committees have 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 2014 General Fund Budget:

From:

Account Number	Name	Amount
A1990.4	General Fund – Contingency	$5,700.00

To:

Account Number	Name	Amount
A1989.4	General Fund – Misc. Other Government Support	$5,700.00

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

Discussion: Ald. Schermerhorn asked about the underlying details for the write-offs. Director of Finance William Roberts stated that these are for receivables set up several years ago which are not collectible. Seventy-five percent of the write-offs are from billings to NYSEG for an old, unwritten agreement for them to share the costs of street tree removals involving overhead wires. It was discussed at the Joint Committees meeting September 2nd, where it was noted that ever since NYSEG was acquired by a Spanish firm, they no longer have any interest in supporting the activity.

RESOLUTION #61-2014 AUTHORIZING BUDGET TRANSFER FOR PURCHASE OF FIRE TRUCK

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

WHEREAS, the Common Council, by Resolution #13-2014 on March 4, 2014, authorized the purchase of a used fire truck for $48,500; and

WHEREAS, a down payment of $5,000 was made for the used fire truck; and

WHEREAS, the fire truck has been delivered and the balance of the purchase price is due; and

WHEREAS, the Joint Committees have 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 2014 General Fund Budget:

From:

Account Number	Name	Amount
A1910.4	Insurance	$33,000.00
A1990.4	Contingency	8,000.00
A7510.4100	Historian – Other	2,000.00
A1680.2100	MIS – Equipment	500.00

To:

Account Number	Name	Amount
A3410.2100	Fire Department – Equipment	$43,500.00

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

RESOLUTION #62-2014 AUTHORIZING INCREASE IN BUDGETED TRANSFERS TO CAPITAL RESERVES FROM WASTEWATER FUND

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

WHEREAS, it has been determined that there are substantial on-going long-range needs to provide for the upgrade of wastewater capital equipment and the replacement of outdated sanitary sewer and storm mains in future years; and

WHEREAS, the unappropriated fund balance of the Wastewater Fund has been augmented during recent years for the purpose of meeting such needs; and

WHEREAS, it is desired that Capital Reserves for such purposes be increased to help meet such needs as indicated above; and

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

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

From:

Account Number	Name	Amount
G909	Unreserved Unappropriated Fund Balance – Wastewater Fund	$500,000.00

To:

Account Number	Name	Amount
G9950.8340	Transfers to HR34 Mains Capital Reserves	$100,000.00
G9950.9	Transfers to HR42 Equipment Capital Reserves	300,000.00
G9950.8360	Transfers to HR43 Storm Sewers Capital Reserves	100,000.00
		$500,000.00

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

RESOLUTION #63-2014 **AUTHORIZING CHANGE ORDER – ELM STREET PROJECT**

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

WHEREAS, a bid was awarded in March of 2014 to Burrell's Excavating Inc. of Norwich for the reconstruction of Elm Street infrastructure (the "Project"); and

WHEREAS, during the construction stage of the Project, a section of pipe collapsed, requiring additional work beyond the original project scope, incurring a cost increase of $3,700; and

WHEREAS, sufficient funds are available in the Sewer Fund operating budget line for Special Projects to cover the additional cost; now, therefore be it

RESOLVED, that a Change Order in the amount of $3,700 as an addition to the originally awarded Project be and hereby is approved.

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

RESOLUTION #64-2014 **AUTHORIZING AMENDMENT TO GHD ENGINEERING AGREEMENT – WHEELER AVENUE TANK REPLACEMENT**

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

WHEREAS, the Common Council has authorized the engagement of GHD Consulting Engineers, LLC of Cazenovia, New York ("GHD"), for engineering services associated with the capital project for replacing the Wheeler Avenue water tank (the "Project"); and

WHEREAS, a first amendment to the original agreement amount of $165,200 was authorized in April of 2014 in the amount of $2,300 for the purpose of conducting borings and subsurface soil tests at the project site, increasing the total agreement amount to $167,500; and

WHEREAS, the preliminary results have tested positive for lead, which had been anticipated due to multiple tank repaintings over the past many years; and

WHEREAS, further soil testing is therefore required to provide adequate lead concentration data for consideration by contractors during prebid, soil management, and construction activities; and

WHEREAS, GHD has submitted a proposed second amendment to the agreement for associated engineering services in the amount of $5,000, increasing the total amount to $172,500; and

WHEREAS, there are sufficient funds provided in the Project budget to cover the increase, and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to sign a second amendment to the agreement with GHD for additional services in the amount of $5,000, bringing the grand total authorized amount for engineering services to $172,500.

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

Payment of September 2014 Bills Ald. Laughlin **moved** to pay the September 2014 bills subject to proper audit and certification. Seconded by Ald. Deierlein and duly adopted ayes all.

September Bills

		Prepaid		09/16/2014		Grand Total
General Fund		$ 174,668.13		$ 46,110.82		$ 220,778.95
Sewer Fund		112,072.54		26,412.62		138,485.16
Water Fund		37,943.46		17,429.19		55,372.65
Trust		26,230.93		-		26,230.93
Comm. Dev. - Special Grants		13,500.00		220.00		13,720.00
Capital Projects		14,583.62		-		14,583.62
TOTALS		**$ 378,998.68**		**$ 90,172.63**		**$ 469,171.31**

Executive Session Ald. Doliver **moved** to enter executive session at 7:15 p.m. to discuss the employment history of particular individuals. Seconded by Ald. McCracken, approved ayes all.

Ald. Deierlein **moved** to exit executive session at 8:28 p.m. Seconded by Ald. Doliver, approved ayes all.

Adjournment
Ald. Deierlein **moved** to adjourn at 8:28 p.m. Seconded by Ald. McCracken, approved ayes all.