

COMMON COUNCIL

April 21, 2015

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on April 21, 2015, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Bryan McCracken
Ald. Brian Doliver
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Supervisor Robert Jeffrey
Supervisor James McNeil

Also:

Human Resources Director Deborah DeForest
Fire Chief Tracy Chawgo
EMO A. Jones
Police Chief Rodney Marsh
Youth Bureau Director Robert Mason
DPW Superintendent Carl Ivarson
City Attorney Patrick Flanagan
Code Enforcement Officer/Fire Marshall Jason Lawrence
Deputy City Clerk Brian Drake

Absent:

Ald. John Deierlein
Ald. Walter Schermerhorn

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. LoPiccolo **moved** to approve the minutes of the regular meeting of March 25, 2015 and the special meeting of April 7, 2015. Seconded by Ald. McCracken and duly approved ayes all.

Mayor Maiurano acknowledged and thanked the Norwich Volunteer Fireman's Association for a contribution of \$65,000 toward the purchase of a brush truck and utility task vehicle with trailer. He spoke of the pride the City of Norwich takes in its volunteer firefighters and how important they are for Norwich and many communities in Chenango County.

Mayor Maiurano then asked for a moment of silence in remembrance of two long-time firefighters who had passed away recently, Lloyd "Slim" Hickox and Richard "Dick" Phillips.

Open Forum Logan Adsit, 83 Plymouth Street, stated she has just moved to Norwich and asked the Council to consider allowing residents to keep chickens. She noted that Sherburne has a nuisance law regarding chickens and Earlville has recently allowed chickens. Mayor Maiurano remembered that his family kept chickens when he was a child.

CORRESPONDENCE

B.I.D. – 13th Annual Cruise-In Ald. McCracken **moved** to receive, file, and approve a request from the Norwich BID for Public Safety assistance and the blocking off of parking at East Park for the 13th Annual Cruise-In on May 22, 2015, from 6:00 to 8:00 p.m. Seconded by Ald. Doliver, duly approved ayes all.

McLaughlin's 40th Anniversary Block Party Ald. Laughlin **moved** to receive and approve a request from Scott and Anna McLaughlin to hold a 40th Anniversary Block Party on Saturday, June 13, 2015, with use of the City parking lot behind 27 South Broad Street from McLaughlin's to Chenango Union Printing and extending north to the Elks Club building, excluding traffic flow areas to the Police Department and the Place, with police assistance and barricades. Use of stakes will not be permitted in the parking lot and a tent permit will be required. Seconded by Ald. LoPiccolo, duly approved ayes all.

2015 New York Run for the Fallen Ald. LoPiccolo **moved** to receive and approve a request from Karen Wright of New York State Honor and Remember to accommodate a run from Syracuse to Albany from June 12 through June 14, 2015, with a route to include North Broad Street, Mitchell Street, and Rexford Street (Route 23). Seconded by Ald. Laughlin, duly approved ayes all.

Colorscape Chenango Arts Festival Ald. McCracken **moved** to receive and approve a request from Peggy Finnegan for the Colorscape Chenango Arts Festival to be held on September 12 and 13, 2015, with special event designation and with the following street closings: East Park Place from East Main Street to North Broad Street; West Main Street

from North Broad Street to Court Street; Hayes Street Parking Lot; north end; barriers along south side of 27 West Main Street. Seconded by Ald. Laughlin and duly approved ayes all.

Department, Board and Commission Reports

- ☐ Police Department Monthly Report for March 2015
- ☐ Youth Department Report for March 2015

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

Ward Reports

Ward 1

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

Ward 2

Ald. Doliver reported that he received one complaint which has been resolved.

Ward 5

Ald. Laughlin reported that he received no communications from constituents during the last month. Code Enforcement has informed him of some garbage complaints, which have been resolved.

Ward 6

Ald. LoPiccolo reported that he received no communication from constituents during the last month.

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

Mayoral Appointments

Mayor Maiurano made the following appointments to the Civil Service Commission:

- ☐ *Joanne Baker, 4211 State Highway 23, appointment as Chair*
- ☐ *Mary Politano, 24 Eric Street, to a 6-year appointment expiring May 31, 2020*

Resolutions

RESOLUTION #30-2015

AUTHORIZING ADDITION OF TEMPORARY EMPLOYEES TO NON-UNIT COMPENSATION SCHEDULE BASED ON UPDATED MINIMUM WAGE

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

WHEREAS, the hourly Federal minimum wage of \$7.25, as it has been applied to temporary and seasonal positions, has resulted in an inability to consistently hire and retain employees to fill such positions; and

WHEREAS, qualified available candidates have either not applied, or have quit such positions with the City to work elsewhere in the area at the New York State minimum wage of \$8.75 or higher; and

WHEREAS, this situation has caused many problems with providing seasonal services and programs, particularly in the Departments of Public Works and Youth Bureau; and

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

RESOLVED, that the City's minimum wage shall hereafter be based on the greater of the Federal minimum wage or the New York State minimum wage, effective immediately; and, be it further

RESOLVED, that the following section be added to the Non-Unit Compensation schedule as follows:

<i>Effective April 21, 2015:</i>							
TEMPORARY EMPLOYEES-Calibrated for Current NYS Minimum Wage at 8.75:							
		<u>Entry Level</u>		<u>After 2 Years</u>			

<u>Grade</u>		<u>Hourly</u>		<u>Hourly</u>			
11	*	9.8710		10.8580	*		
10		9.4822		10.4304			
9		9.1088		10.0196			
8		8.7500		9.6250			
						* Grandfathered 5-Yr	
						Step for Grade 11:	
						11.9438	

Seconded by Ald. Laughlin, and duly adopted, 4-0, on a roll-call vote.

RESOLUTION #31-2015 AUTHORIZING APPLICATION TO FINANCIAL RESTRUCTURING BOARD

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

WHEREAS, New York State has created a Financial Restructuring Board (“FRB”) and any county, city (except New York City), town, or village deemed a Fiscally Eligible Municipality by the FRB may request, by resolution of its governing board with the concurrence of its chief executive, a Comprehensive Review from the FRB; and

WHEREAS, the City of Norwich has been deemed a Fiscally Eligible Municipality; and

WHEREAS, if the FRB decides to undertake a Comprehensive Review of the City of Norwich, it can request any information necessary to understand the Village’s finances and operations; based on this information, the FRB would make recommendations to the City on improving its fiscal stability, management, and the delivery of public services; and

WHEREAS, the FRB could offer grants and/or loans through the Local Government Performance and Efficiency Program for undertaking certain recommendations and if the City agrees to undertake the FRB’s recommendations, it could be contractually bound to fulfill those terms in order to receive the aid; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich hereby resolves to submit an application requesting a Comprehensive Review by the Financial Restructuring Board; and, further be it

RESOLVED, that any commitment to apply for grants and/or loans, or to undertake the FRB’s recommendations, will need to come back to the Common Council for another resolution authorizing said grants, loans or recommendations at a future date; and, further be it

RESOLVED, that the Common Council at this time does not, by this resolution, agree to have the Financial Restructuring Board serve as a binding arbitration panel for collective bargaining disputes; and, be it further

RESOLVED, that this resolution shall take effect immediately.

Seconded by Ald. Doliver, and duly adopted, 4-0, on a roll call vote.

Discussion: Ald. LoPiccolo stated that the Council has had no information regarding this topic. Mayor Maiurano stated his belief that the Financial Restructuring Board reviews what is proposed in a budget in order to make a multiyear plan for the City in order to pursue grants. Ald. LoPiccolo asked if this resolution has been brought forward to bring the Financial Restructuring Board in. Mayor Maiurano said that agreement from the Common Council is needed to proceed. Ald. LoPiccolo asked if there is a charge for this. Mayor Maiurano said grants would pay for it. Ald. Doliver asked if there are any negative consequences for the City if FRB recommendations are not adopted. Mayor Maiurano said they are looking for a financial plan and this can be a good eye-opener.

RESOLUTION #32-2015 AUTHORIZING ADDITIONAL HOURS – FINANCE ADMINISTRATIVE OFFICE MANAGER

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

WHEREAS, with the retirement of the Director of Finance, there is an interim need for the Finance Administrative Office Manager to handle an expanded workload until a new Finance Director has fully taken over the responsibilities of the position; and

WHEREAS, adequate funds have already been budgeted to cover the cost of extra hours of paid time in that regard; and

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

RESOLVED, that an increase in weekly time of seven hours, above the regular 40-hour week, be and hereby is authorized for the Finance Administrative Office Manager; and, further be it

RESOLVED, that the authorization for additional hours will continue until a new Finance Director has fully taken over the responsibilities of the position; and, further be it

RESOLVED, that such additional hours are to be paid in accordance with all applicable labor laws and are to be apportioned among the same departments and funds and in the same manner as the Finance Director's salary has been allocated; and, further be it

RESOLVED, that any budgetary transfers between regular time and overtime lines, as may be necessary for applicable cost classification, be and hereby are authorized.

Seconded by Ald. LoPiccolo, and duly adopted, 4-0, on a roll call vote.

RESOLUTION #33-2015 **AUTHORIZING THE MAYOR TO SIGN AN UNDERTAKING FOR THE
BENEFIT OF THE NYS DEPARTMENT OF TRANSPORTATION IN
CONNECTION WITH WORK AFFECTING STATE HIGHWAYS**

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

WHEREAS, the New York State Department of Transportation ("DOT") requires that a municipality which hosts events on State highways and routes receive permits for such events; and

WHEREAS, the DOT requires that each municipality hosting such events sign an Undertaking with the DOT detailing the municipality's responsibilities, indemnification, and compliance with all applicable laws, rules and regulations in order to receive permits for such events; and

WHEREAS, the City of Norwich hosts multiple events each year taking place on State Highway 12 and State Route 23; now, therefore be it

RESOLVED, that the Mayor is hereby authorized under the direction of the City Attorney to sign an Undertaking for the benefit of the New York State Department of Transportation in connection with work affecting state highways.

Seconded by Ald. LoPiccolo, and duly adopted, 4-0, on a roll call vote.

Discussion: Ald. McCracken asked why this resolution is necessary. Police Chief Rodney Marsh replied this is a form required to be filed with the State DOT for the various events held on State roads within the City during the year. City Attorney Patrick Flanagan stated he had reviewed the form, that it is a one-time filing with the State for the permitting required for events such as Gus Macker that take place on State roads in the City, and that it does not affect the City's exposure or obligations.

Payment of April 2015 Bills Ald. Laughlin **moved** to pay the April 2015 bills after proper audit and certification. Seconded by Ald. McCracken and duly adopted ayes all.

April Bills

	<u>Prepaid</u>	<u>4/21/15</u>	<u>Grand Total</u>
General Fund	\$ 156,582.72	\$ 501,661.80	\$ 658,244.52
Sewer Fund	29,628.47	28,129.53	57,758.00
Water Fund	18,028.74	24,661.15	42,689.89
Trust Fund	28,316.01	-	28,316.01
Debt Service	1,437.00	-	1,437.00
Capital Projects	11,256.06	-	11,256.06

TOTALS		\$ 245,249.00		\$ 554,452.48		\$ 799,701.48
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Adjournment

Ald. LoPiccolo **moved** to adjourn at 7:24 p.m. Seconded by Ald. Doliver, approved ayes all.